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January 6, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Agenda No. 2
2/26/2008

**Re: CONDITIONAL USE PERMIT NO. 00-81-(5)
HIGHWAY REALIGNMENT CASE NO. 00-81-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing regarding the above-referenced entitlements, which relate to the development of a subdivision of 37 single-family residential lots, six open-space lots, and four public facility lots, on approximately 185.8 acres in unincorporated County territory within the Santa Clarita Valley. The entitlements authorize: (a) on-site grading in excess of 100,000 cubic yards, and the construction of a density-controlled development within a hillside management area and Significant Ecological Area; and (b) a highway realignment of San Francisquito Canyon Road between Lowridge Place and Cherokee Canyon Lane.

At the conclusion of the hearing, you indicated an intent to approve the entitlements and instructed our office to prepare findings and conditions for your approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

MARK J. SALADINO
County Counsel

By

JOSEPH M. NICCHITTA
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APPROVED AND RELEASED:


THOMAS J. FAUGHNAN
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JMN:ph
Enclosures

c: Sachi A. Hamai, Interim Chief Executive Officer
Patrick Ogawa, Acting Executive Officer, Board of Supervisors

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NUMBER 00-81-(5)
HIGHWAY REALIGNMENT CASE NUMBER 00-81-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on March 27, 2007, and February 26, 2008, in the matter of Conditional Use Permit No. 00-81-(5) ("CUP"), and Highway Realignment Case No. 00-81-(5) ("Highway Realignment Case"). The CUP and Highway Realignment Case were heard concurrently with Vesting Tentative Tract Map No. 53189-(5) ("Vesting Map") (the CUP, Highway Realignment Case, and Vesting Map are collectively referred to as the "Project"). The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP, Highway Realignment Case, and Vesting Map on March 3, 2006, May 10, 2006, and August 16, 2006.

Summary of Project

2. The permittee, Sun Cal Companies, proposes to subdivide approximately 185.8 gross acres of vacant, undeveloped land into 47 lots consisting of 37 single-family residential lots, six open space lots, and four public facility lots, in unincorporated County territory within the Santa Clarita Valley. Each of the 37 single-family lots will be one acre in size or greater and will be clustered on the western and northwestern portions of the site, and west of the San Francisquito Canyon Creek, which traverses the site north-to-south.
3. The CUP is a request to: (a) authorize on-site grading in excess of 100,000 cubic yards; (b) ensure compliance with the requirements applicable to a density-controlled development pursuant to Los Angeles County Code ("County Code") section 22.56.205; and (c) ensure compliance with the requirements applicable to development within a hillside management area and a Significant Ecological Area ("SEA") pursuant to County Code section 22.56.215.
4. The Highway Realignment Case is a request to realign San Francisquito Canyon Road, designated a limited secondary highway on the Master Plan of Highways under the Santa Clarita Valley Area Plan ("SCVAP") adopted in 2012. The Highway Realignment Case would authorize a paper realignment of San Francisquito Canyon Road between Lowridge Place and Cherokee Canyon Lane to reflect the actual location of the physically existing roadway, which is outside of the San Francisquito floodplain and SEA. As required by the County Code and the 1984 SCVAP, the Highway Realignment Case was initially presented to the County Interdepartmental Engineering Committee for consideration, which recommended approval of the matter.
5. The Vesting Map is a related request to create 47 lots on the site, consisting of 37 single-family residential lots, six open space lots, and four public facility lots.

Site Description

6. As more fully explained in paragraphs 36 through 38, below, the SCVAP was originally adopted by the Board in February 1984 ("1984 SCVAP"). In November 2012, after the Board closed the public hearing for the Project and indicated its intent to approve the Project, the Board adopted a revised SCVAP ("2012 SCVAP") which made a number of changes affecting the Project site, including changing the site's land use designation and zoning, as well as revisions to the SEA on the site. However, the 2012 SCVAP specifically exempts developments such as the Project from the 2012 SCVAP's provisions. In addition, Government Code section 66474.2(a) requires that the decision to approve the Vesting Map be based on the ordinances, policies, and standards in effect as of the date the Vesting Map application was deemed complete, except in certain situations not applicable to the Project. For these reasons, the descriptions of the site below refer to the land use, zoning, and SEA designations in effect under the 1984 SCVAP. Descriptions of land uses and zoning on surrounding properties refers to those land uses and zones currently existing and/or in effect under the 2012 SCVAP.
7. The site consists of one lot approximately 185.8 gross acres in size. The site is generally located between Stoney Creek Drive and Avenida Rancho Tesoro to the west, and San Francisquito Canyon Road to the east. The intersections of Cherokee Canyon Lane and San Francisquito Canyon Road to the north, and Lowridge Place and San Francisquito Canyon Road to the south, demarcate the approximate northern and southern boundaries of the site.
8. The site is undeveloped and irregularly shaped, with flat to steeply sloping terrain. San Francisquito Canyon Creek flows north-to-south through the eastern portion of the site, and is designated as SEA No. 19 in the General Plan.
9. The site is depicted within the "N-1" (Non-Urban 1 – Maximum 0.5 Dwelling Units Per Gross Acre), "W" (Floodway/Floodplain), and "HM" (Hillside Management) land use categories of the Land Use Policy Map of the 1984 SCVAP. Approximately 127 acres of the site are within the N-1 category, 54 acres within the W category, and five acres within the HM category. Under the 1984 SCVAP, approximately 103 acres on the western portion of the site were zoned A-2-2 (Heavy Agriculture – 2 Acre Minimum Required Lot Area), and the remaining approximately 83 acres on the eastern portion of the site were zoned R-1-7,000 (Single-Family Residence – 7,000 Square Feet Minimum Required Lot Area).
10. Surrounding zoning within a 500-foot radius includes:
 - North: A-2-2;
 - South: A-2-2, R-3 (Limited Multiple Residence), and O-S (Open Space);
 - East: A-2-2 and R-1 (Single-Family Residence); and
 - West: A-2-2 and R-1.

11. Surrounding land uses within a 500-foot radius include:
 - North: Single-family residences, a triplex, a warehouse, and undeveloped land;
 - South: Condominiums and undeveloped land;
 - East: Single-family residences and undeveloped land; and
 - West: Single-family residences, a park, an elementary school, and undeveloped land.
12. The Vesting Map and Exhibit "A" approved for the Project depict 47 lots, consisting of 37 single-family residential lots, six open space lots, and four public facility lots. The single-family residential lots range from a minimum one acre to over two acres in size, and will be clustered around two proposed streets, "A" street and "B" street in the western and northwestern portions of the site. "A" street will travel north-south along the western portion of the site, from the site's southern to northern boundaries. "B" street will travel east-west along the northern portion of the site, from the westernmost boundary of the site and terminating at "A" street. The six open spaced lots are dispersed throughout the site, and comprise approximately 70 percent (130.2 acres) of the site. In particular, the eastern portion of the site, including the San Francisquito Canyon Creek, will remain open space. San Francisquito Canyon Road is located to the east of San Francisquito Canyon Creek and traverses the eastern portion of the site in a north-south direction. Development on the site will not take access from San Francisquito Canyon Road. The four public facility lots are located near the single-family residential lots and will be developed as debris basins.
13. Access to the site is provided by Stoney Creek Road to the southwest, which will connect to "A" street, and Avenida Rancho Tesoro to the west, which will connect to "B" street. Stoney Creek Road and Avenida Rancho Tesoro are part of the road system in the adjacent Tesoro Del Valle development (Tract Map No. 51644) ("Tesoro"), which is located to the west and southwest of the site. There will be no access to the developed portion of the site from San Francisquito Canyon Road.
14. A network of existing trails will be maintained on the site, including the Cliffie Stone, Butterfield Overland, Lady Linda, and Harris Trails. In addition to existing trails, the Project will provide a horse access path outside of the public right-of-way through Lot Nos. 24 through 32, which are located along "A" street.
15. Domestic water for the Project will be provided by the Newhall County Water District. Public sewer service will be provided by County Sanitation District No. 5. Gas utilities will be provided by Southern California Gas Company and electricity by Southern California Edison Company. The Project is within the boundaries of Saugus Union School District.

16. Shopping and employment opportunities are available to the south of the site on Copper Hill Drive, as well as within the City of Santa Clarita, a short distance from the site.

Summary of Commission Proceedings

17. In June 2000, prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, County Department of Regional Planning ("Regional Planning") staff determined that an environmental impact report ("EIR") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring Plan ("MMP") prepared for the Project.
18. As of November 2005, prior to the Commission's public hearing on the Project, the permittee proposed to create 60 single-family lots, three open space lots, and three public facility lots on the site. The single-family lots ranged in size from approximately 8,200 to 37,336 square feet in net area, with the three open space lots comprising approximately 80 percent (148 acres) of the site.
19. The Commission held a duly-noticed public hearing on the Project on March 29, 2006. At the hearing, the Commission heard a presentation from Regional Planning staff and the permittee's representatives. Members of the public testified in opposition to the Project, primarily raising concerns that the Project was not consistent with the equestrian and rural uses in the surrounding area. After hearing all testimony, the Commission continued the public hearing to May 10, 2006, and directed Regional Planning staff to work with the permittee to redesign the Project to better accommodate equestrian and rural uses in keeping with the existing community.
20. In or about May 2006, prior to the Commission's continued public hearing on the Project, the permittee submitted revised maps to Regional Planning depicting a total of 63 lots, consisting of 56 single-family lots, three open space lots, and four public facility lots. The 56 single-family lots were larger than previously proposed, ranging in size from a minimum of 15,000 square feet to approximately two acres. The permittee proposed to cluster 53 of the single-family lots along the western and northwestern portions of the site, and to locate three approximately two-acre lots along San Francisquito Canyon Road on the eastern portion of the site. As revised, the three open space lots comprised approximately 72 percent (134 acres) of the site.
21. The Commission held a continued public hearing on the Project on May 10, 2006. Regional Planning staff gave a presentation explaining the changes to the Project, including the reduction of single-family residential lots from 60 lots, as

originally proposed, to 56 lots with increased sizes to reflect the equestrian and rural nature of the community. Staff further reported, however, that while the proposed redesign was more consistent with an equestrian and rural community, some proposed changes, including expanding lot lines and locating three single-family residential lots along San Francisquito Canyon Road, were more harmful to sensitive habitat on the site. The applicant testified in favor of the Project, stating that the Project as proposed created an equestrian community which properly transitioned from the higher density residential uses in the neighboring Tesoro development. Members of the public testified in favor of and against the Project. Project proponents testified, among other things, that the Project would improve access to surrounding properties which are prone to fire and flooding. Project opponents testified, among other things, that smaller lots on the Project would not support an equestrian lifestyle, and that the Project would harm the San Francisquito Canyon Creek habitat. After hearing all testimony, the Commission expressed concern regarding the Project's impacts to sensitive habitat on the site, and questioned whether the smaller lots on the Project would support an equestrian lifestyle. The Commission continued the public hearing to August 16, 2006, and directed the permittee to redesign the project to reduce the number of lots and to increase the size of the remaining lots to accommodate the keeping of horses.

22. In or about June 2006, prior to the Commission's continued public hearing on the Project, the permittee submitted revised maps to Regional Planning staff which depicted a total of 52 lots, consisting of 45 single-family lots, three open space lots, and four public facility lots. The 45 single-family lots ranged in size from a minimum of 15,060 square feet to approximately 1.37 acres. On average, the 45 single-family lots were larger than the 56 single-family lots previously proposed by the permittee, and all single-family lots were proposed to be clustered on the western and northwestern portions of the site. As revised, the three open space lots comprised approximately 77 percent (143 acres) of the site.
23. The Commission held a continued public hearing on the Project on August 16, 2006. Regional Planning staff presented the redesigned Project to the Commission, and advised the Commission that the redesigned Project required further review from the County Subdivision Committee ("Subdivision Committee") and the County Significant Ecological Area Technical Advisory Committee ("SEATAC"). The permittee testified that the redesigned Project avoided sensitive habitat on the site and was consistent with an equestrian and rural community, and supported equestrian uses. Members of the public testified in opposition to the Project, raising concerns similar to those raised in the prior public hearing sessions for the Project, including that the Project was inconsistent with the existing equestrian and rural community. After hearing all testimony, the Commission closed the public hearing and indicated its intent to approve the Vesting Map, CUP, and Highway Realignment Case, subject to review and clearance by the Subdivision Committee.

24. Following the public hearing session on August 16, 2006, the permittee successfully cleared the revised Project with the Subdivision Committee and SEATAC.
25. The Commission considered the Project at its regular meeting on December 13, 2006, during the consent portion of its meeting. The Commission: (a) certified the Final Environmental Impact Report ("Final EIR") for the Project, which concluded in part that short-term air quality impacts from Project construction could not be mitigated to a less than significant level; (b) adopted the related environmental findings of fact and statement of overriding considerations ("Findings of Fact and SOC") and MMP for the Project; and (c) approved the Vesting Map, CUP, and Highway Realignment Case.
26. Pursuant to County Code section 22.60.230, the Commission's approval of the Project was appealed to the Board.

Summary of Board Proceedings

27. The Board conducted a duly-noticed public hearing on the Project on March 27, 2007. The Board heard a presentation from Regional Planning staff, as well as testimony from the applicant and members of the public. Regional Planning staff testified, among other things, that the Project had been redesigned to include fewer and larger lots to maintain the rural character of the community and to accommodate the keeping of horses. The permittee's representative testified, among other things, that the Project was sensitive to the environment on the site, included clustered residential lots to allow 75 percent of the site to remain permanent open space, and that the permittee had worked closely with the community to reduce the number of lots and increase the size of the lots to remain consistent with the existing rural and equestrian community. Members of the public testified both in favor of and against the Project. Project proponents testified that the Project would improve access to neighboring parcels, and that the Project conformed to the existing community. Project opponents raised concerns, among others, that the Project was not consistent with the rural character of the existing community or equestrian uses. A neighbor, Ray Vizcarra, testified that the Project would cut off access to, and landlock, his parcel. After hearing all testimony, the Board continued the public hearing to June 26, 2007, and instructed Regional Planning staff to report back to the Board with a redesigned map and proposed conditions, after review by the Subdivision Committee, for a redesigned project containing single-family lots of a minimum one acre in size, and to report back on any issues of access to Mr. Vizcarra's property.
28. On June 26, 2007, and again on September 5, 2007, November 27, 2007, and January 22, 2008, the Board continued the public hearing on the Project without discussion.

29. Prior to the Board's continued public hearing on the Project, the permittee submitted to Regional Planning revised maps for the Project which depicted 51 total lots, consisting of 41 single-family residential lots, six open space lots, and four public facility lots. All 41 single-family lots were clustered on the western and northwestern portions of the site. As revised, the six open space lots comprised approximately 70 percent (130 acres) of the site. In addition, the revisions reduced total grading for the Project by approximately 35,000 cubic yards. As directed by the Board during the March 27, 2007 public hearing, the permittee presented the revised Project to the Subdivision Committee, which reviewed and cleared the revised Project, subject to the recommended conditions.
30. Also prior to the Board's continued public hearing on the Project, Regional Planning staff and the permittee worked with Mr. Vizcarra to resolve issues of access to his property. Regional Planning staff determined that Mr. Vizcarra would have access to his property via a dedicated public street within the Tesoro development adjacent to the Project site.
31. In or about November 2007, a Comparative Impact Analysis for Revised One-Acre Lot Tract Map ("Comparative Analysis") was prepared for the Project to provide a comparative evaluation of the potential environmental impacts between the Project as approved by the Commission and the revised Project with minimum one-acre lots, as directed by the Board during the March 27, 2007, public hearing on the Project. The Comparative Analysis concluded that the impacts of the revised Project would reduce or be similar to those analyzed in the Final EIR considered by the Commission. However, the Comparative Analysis proposed revisions to the MMP for the Project to address changes in the intensity of certain impacts and new lot numbering.
32. On or about February 22, 2008, a technical memorandum was prepared summarizing new information concerning water supply for the Project, including a federal court decision regarding State Water Project pumping and the federal Endangered Species Act; a federal court order setting forth interim remedies to protect Delta smelt; the publication of technical information about water supply incorporating the interim remedies; and the availability of more advanced global warming modeling. The technical memorandum updated the water supply analysis for the Project, analyzed impacts previously analyzed in the Final EIR considered by the Commission, and concluded that the potential environmental impacts to water supply remain less than significant. The technical memorandum further concluded that recirculation of the draft EIR for the Project was not necessary pursuant to Public Resources Code section 21092.1 and CEQA Guidelines section 15088.5.
33. The Board held a continued public hearing on the Project on February 26, 2008. Regional Planning staff gave a presentation regarding the revised Project design, and advised the Board that issues of access to Mr. Vizcarra's property had been resolved. The permittee's representative testified that the revised Project sets

aside 70 percent of the site as permanent open space, incorporates rural road standards as requested by the community, preserves on-site cherry woodlands, and contains only equestrian-sized lots of one acre or larger. The permittee's representative further testified that over 50 letters had been submitted in favor of the Project. Members of the public testified in favor of and against the Project. Project proponents gave similar testimony as that presented at prior Board and Commission public hearings on the Project. Project opponents raised concerns similar to those raised at prior Board and Commission public hearings on the Project, and raised the additional concerns, among others, that the Project did not incorporate two-acre sized lots for equestrian uses.

At the conclusion of the February 26, 2008 public hearing, the Board denied the appeal, certified the Final EIR for the Project, adopted the related Findings of Fact and SOC, adopted the MMP, and indicated its intent to approve the Project, subject to the condition that the permittee redesign the Project to combine the seven northernmost lots on the site into three new lots each with a minimum size of two acres. Specifically, the Board directed the permittee to combine Lot Nos. 11 and 12 into one lot, and Lot Nos. 13, 14, 15, 16, and 17 into two separate lots with a minimum size per lot of two acres.

34. In or about October 2012, the permittee submitted revised maps for the Project which contained a total of 47 lots, consisting of 37 single-family residential lots, six open space lots, and four public facility lots. Consistent with the Board's direction at the February 26, 2008 public hearing, the revised Project combined Lot Nos. 11 and 12 into one two-acre lot, Lot Nos. 13 and 14 into one 2.04-acre lot, and Lot Nos. 15, 16, and 17 into one 3.23-acre lot. Other than combining the lots as directed by the Board, the revised Project contained no material changes to the Project.

2012 Santa Clarita Valley Area Plan (One Valley One Vision)

35. As explained in paragraph 6, above, the 1984 SCVAP was originally adopted by the Board on February 16, 1984. On November 27, 2012, the Board adopted a resolution repealing the 1984 SCVAP and adopting a revised 2012 SCVAP. The 2012 SCVAP became effective on December 27, 2012. The 2012 SCVAP is a component of "One Valley One Vision," a joint planning effort between the County and the City of Santa Clarita.
36. The 2012 SCVAP changed the land use designations, zoning, and SEA on the Project site. Specifically:
 - A. Under 1984 SCVAP, the land use designations on the site were "N-1," "W," and "HM." Approximately 127 acres of the site were within the N-1 category, 54 acres within the W category, and five acres within the HM category. The 2012 SCVAP changed the land use designation on the site to the RL5 – Rural Land 5 (NU3 – Non-Urban 3) land use category.

- B. Under the 1984 SCVAP, approximately 103 acres on the western portion of the site were zoned A-2-2, and the remaining approximately 83 acres on the eastern portion of the site were zoned R-1-7,000. The 2012 SCVAP eliminated the R-1-7,000 zoning, and changed the zoning for the entire site to A-2-2.
 - C. Prior to the 2012 SCVAP, the SEA on the site was designated SEA No. 19 under the General Plan. The 2012 SCVAP incorporated the SEA on the site into the new Santa Clara River SEA, which encompasses the entire County reach of the Santa Clara River. The newly designated SEA on the site encroaches into a small portion of Lot No. 11 and "A" street.
 - D. Prior to the 2012 SCVAP, San Francisquito Canyon Road was designated as a secondary highway under the General Plan Highway Policy Map. The 2012 SCVAP re-designated a portion of San Francisquito Canyon Road, including the portion traversing the Project site, to a limited secondary highway.
37. The 2012 SCVAP contains a grandfathering provision whereby certain projects would still be reviewed for consistency under the 1984 SCVAP. Chapter VIII of the Introduction to the 2012 SCVAP provides:
- Completed applications filed prior to the effective date of [the 2012 SCVAP] shall be allowed to be reviewed for consistency with the [1984 SCVAP]. Projects may be maintained as originally approved provided the approval is still valid and has not expired. Any subsequent change(s) of use or intensity shall be subject to the policies of this Area Plan.
38. Government Code section 66474.2(a) provides that, except in situations not applicable to the Project, "in determining whether to approve or disapprove an application for a tentative map, the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete"
39. The Board finds the Project is not subject to the provisions of the 2012 SCVAP. The permittee filed a completed application for the Project prior to the effective date of the 2012 SCVAP, and has not proposed to change uses on the site, or to increase intensity of any uses on the site. The Board further finds that changes to the Project following the permittee's filing of a complete application were directed by the Commission and/or the Board, and have the effect of reducing the number of single-family lots from an originally proposed 60 lots to 37 lots, as well as decreasing the Project's intensity of use and overall impact on the environment. Nevertheless, the Board further finds that the Project is consistent with both the 1984 SCVAP and the 2012 SCVAP, as specified below.

40. The Board finds the Project is consistent with the N-1, W, and HM land use categories under the 1984 SCVAP. The N-1 and HM categories allow residential uses. Based on slope density analysis required under the 1984 SCVAP for the HM land use category, these combined categories on the site permit a maximum of 61 dwelling units on the subject property. The Project proposes 37 single-family residential lots, which is less than the maximum number of dwelling units allowed on the site.
41. The Board finds the Project is consistent with the RL5 land use category under the 2012 SCVAP. The RL5 land use category permits single-family homes at a maximum density of 1 dwelling unit per 5 acres, as well as agricultural, equestrian, private recreational, and public and institutional facility uses. The RL5 land use category permits density-controlled development (clustering). The maximum number of dwelling units permitted on the site under the RL5 land use category is 37 dwelling units, which is consistent with the 37 single-family residential lots proposed as part of the Project. The Project also proposes to cluster the single-family residences away from the SEA on the site, preserving the majority of the site for open space.
42. The Board finds the Project is consistent with the A-2-2 and R-1-7,000 zones under the 1984 SCVAP. Both the R-1 and A-2 zones authorize density-controlled developments, with the approval of a conditional use permit. Pursuant to County Code section 22.08.040, a density-controlled development is a development containing the concentration of dwelling units on a portion or portions of a site, resulting in the remainder of the site being free of buildings or structures, as opposed to development spread throughout the entire lot or parcel. Density for a density-controlled development is computed by calculating the allowable density on a project level, rather than on a parcel-by-parcel basis, and by the use of smaller lots than are customarily permitted in the zone in which the development is proposed. The 37 single-family residential lots proposed for the site, with a minimum size of one acre per lot, are clustered in the western and northwestern portions of the site, leaving approximately 70 percent of the site as open space. The Project, including the size and clustered design of the single-family residential lots, as well as the open space provided, is consistent with the density allowed by the A-2-2 and R-1-7,000 zoning on the site, and the lot areas permissible under a density-controlled development. The Board further finds that, with the approval of the CUP, the Project is appropriately conditioned to comply with the requirements applicable to development within a hillside management area and SEA.
43. The Board finds the proposed subdivision and the provisions for its design and improvements are consistent with the goals and policies of the General Plan and the 1984 SCVAP. The Project increases the supply and diversity of housing, promotes the efficient use of land through a more concentrated pattern of development, preserves over two-thirds of the site as permanent dedicated open space, clusters development outside of the boundaries of an SEA, maintains the rural and equestrian character of the existing community, and is located near

shopping, recreational, and commercial centers. For these same reasons, the Board finds that the proposed subdivision and the provisions for its design and improvements are consistent with the goals and policies of the 2012 SCVAP.

44. The Board finds the equestrian uses contemplated as part of the Project are consistent with the A-2-2 and R-1-7,000 zones under the 1984 SCVAP. The Project clusters development in the portion of the site zoned A-2-2. The keeping of horses and related activities are allowed in the A-2 zone pursuant to County Code section 22.24.120.B.
45. The Board finds the Project is consistent with the A-2-2 zone under the 2012 SCVAP for the same reasons described in paragraphs 43 and 44, above.
46. The Board finds the design of the Project minimizes impacts to resources contained in the hillside management area and SEA on the site. Development on the site is clustered in the western and northwestern portions of the site, outside the boundaries of the SEA and away from the steepest terrain on the site. The Board further finds that, with the approval of the CUP, the Project is appropriately conditioned to comply with the requirements for development in a hillside management area and on a parcel containing an SEA.
47. The Board finds the Project is appropriately conditioned to incorporate rural street standards, which may include reduced pavement width, reduced street lighting to protect night skies, rolled curbs or no curbs, and no sidewalks, in order to preserve the existing rural community character.
48. The Board finds the permittee has demonstrated the suitability of the site for the proposed use, that establishment of the proposed use at such location is in conformity with good zoning practice, and that compliance with the attached conditions of approval, and the conditions of approval for the CUP, will ensure compatibility with surrounding land uses and consistency with all applicable General Plan and 1984 SCVAP and 2012 SCVAP policies.
49. The Board finds that the Project site is physically suitable for the type of development and density proposed because the site has access to a County-maintained street(s), and will be served by public sewer facilities and water supplies to meet anticipated domestic and fire suppression needs, and will mitigate flood and geologic hazards in accordance with the requirements of the County Department of Public Works.
50. The Board finds that the Project will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. While the San Francisquito Canyon Creek and Santa Clara River SEA traverse the site, development within the site will be clustered away from the creek and outside the boundaries of the SEA, and is not expected to have a significant impact to the riparian habitat on the site.

51. The Board finds that the Project is appropriately conditioned to require the permittee to dedicate the open space lots within the Project as permanent open space, and will grant the County the right to enforce such dedication. The Board further finds that the Project is appropriately conditioned to require the permittee to form a Lighting and Landscape Act District to assess fees for weed abatement, fire suppression, and landscape maintenance in common areas.
52. The Board finds that compatibility of the Project with surrounding land uses will be ensured through the CUP.
53. The Board finds that there is no evidence that the Project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project site.
54. The Board finds that the CUP ensures that grading for the Project will be done in an orderly manner and in substantial conformance with the Exhibit "A" approved for the Project, or a revised Exhibit "A" approved by the Director. The Board further finds that the CUP will ensure that development on the site, including the location and clustering of lots, will conform to the approved Exhibit "A," or a revised Exhibit "A" approved by the Director, and will ensure compatibility with the surrounding area.
55. The Board finds that modifications to minimum lot areas for this Project are necessary and proper to encourage the clustering of a density-controlled development away from sensitive resources on the site, including the SEA and San Francisquito Creek floodplain.
56. The Board finds that the project appropriately transfers density to concentrate development on approximately 30 percent of the site, located on less steep terrain, proximate to existing urban development, and outside the environmentally-sensitive and biologically significant SEA.
57. The Board finds that the proposed transfer of non-urban density within the site will preserve significant open space and lands within the SEA, minimize grading, and promote good planning by locating development near already developed communities.
58. The Board finds that the 1984 SCVAP encourages density transfer to promote important 1984 SCVAP goals, such as preserving open space, hillsides, and SEAs; minimize grading, disruption and degradation of the environment; and avoid development in hazardous lands. Specifically:
 - A. The 1984 SCVAP authorizes density transfer among land use classifications within a project site (regardless of urban or non-urban designation) when geological and topographic data support the need, the numbers of units is not increased, and health and safety is not detrimentally affected.

- B. The 1984 SCVAP authorizes density transfer as a tool to preserve SEAs and hillsides, to promote superior design, and to respond to changing housing needs.
- C. The 1984 SCVAP encourages density transfer and clustering of structures in urban and non-urban hillsides from steeper to more gently rolling and level land as a means of preserving the natural terrain, minimizing grading, and reducing exposure to natural hazards.
- D. The 1984 SCVAP encourages the consideration of residential densities as averages for the site to allow for the clustering of development and the transfer of unit credit to provide for additional open space.
- E. The 1984 SCVAP encourages clustering of residential uses in hilly and mountainous areas to minimize grading and to preserve the natural terrain.

The Board finds that the Project is consistent with the above density-transfer provisions of the 1984 SCVAP.

- 59. The Board finds that the housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the Project was determined to be consistent with the General Plan and the 1984 SCVAP.
- 60. The Board finds that the subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping, and other accessory structures except as otherwise modified, as shown on the approved Exhibit "A" and on the Vesting Map.
- 61. The Board finds that the proposed realignment of San Francisquito Canyon Road, a limited secondary highway, is a paper realignment only and will not affect traffic patterns or circulation. The Board further finds that the realignment is warranted to accord with the actual physical location of San Francisquito Canyon Road between Lowridge Place and Cherokee Canyon Lane, which is different than as mapped.
- 62. The Board finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to California Fish and Game Code section 711.4.
- 63. The Board finds that the permittee will be required to pay the applicable County library facilities mitigation fee pursuant to the County Code.
- 64. The Board finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Board has reviewed and considered the Final EIR, along with its associated MMP, Findings of Fact and

SOC, and finds that it reflects the independent judgment of the Board. The Findings of Fact and SOC are incorporated herein by this reference, as if set forth in full. As stated in the Final EIR and the Findings of Fact and SOC, Project development will result in short-term construction impacts to air quality which will be significant. Other than short-term construction impacts to air quality, potentially significant impacts to the environment will be reduced to a less than significant level, with the mitigation measures identified in the Final EIR and incorporated as conditions to the Vesting Map and CUP. The Board further finds that, with respect to the adverse effects upon air quality during construction, the substantial benefits resulting from the Project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings of Fact and SOC.

65. The Board finds that the Comparative Analysis correctly concludes that the impacts of the Project as approved will reduce or be similar to those analyzed in the Final EIR considered by the Commission, and that the revised MMP provided in the Comparative Analysis ensures that impacts associated with revisions to the Project will remain similar to or less than those analyzed in the Final EIR approved by the Commission.
66. The Board finds that new information concerning water supply analyzed in the technical memorandum dated on or about February 22, 2008, correctly concludes that the Project's potential environmental impacts to water supply remain less than significant. The Board further finds that the new information concerning water supply analyzed in the technical memorandum does not require recirculation of the Draft EIR.
67. The Board finds that the MMP for the Project is consistent with the conclusions and recommendations of the Final EIR, and identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment by the Project. The Board further finds that the MMP's requirements are incorporated into the conditions of approval for this Project.
68. The Board finds that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and the MMP, as well as the conditions of approval for the Vesting Map.
69. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

BASED ON THE FORGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

- A. The proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan and the 1984 SCVAP .
- B. With the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in the Zoning Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and is adequately served by other public or private service facilities as are required.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Certifies that the Final EIR for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; indicates that, at the conclusion of its hearing on the Project, it certified the Final EIR and adopted the Findings of Fact and SOC and the MMP, finding that the MMP is adequately designed to ensure compliance with the mitigation measures during Project implementation, and found that the unavoidable significant effects of the Project after adoption of said mitigation measures are described in those Findings of Fact and SOC; and determined that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific health, safety, economic, social, and/or environmental benefits of the Project as stated in the Findings of Fact and SOC; and
- 2. Approves Conditional Use Permit No. 00-81-(5) and Highway Realignment Case No. 00-81-(5), subject to the attached conditions.

**CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 00-81-(5)
HIGHWAY REALIGNMENT CASE NO. 00-81-(5)**

1. This grant authorizes the following:
 - A. A conditional use permit ("CUP") for: (a) on-site grading in excess of 100,000 cubic yards; (b) development and construction of a density-controlled development consisting of a clustered subdivision with 37 single-family residential lots, six open-space lots, and four public facility lots; and (c) development and construction within a hillside management area and Significant Ecological Area ("SEA").
 - B. A highway realignment ("Highway Realignment") for the paper realignment of San Francisquito Canyon Road between Lowridge Place and Cherokee Canyon Lane.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors in interest, and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition Nos. 7, 8, 22, and 59. Notwithstanding the foregoing, this Condition No. 3 and Conditions Nos. 2, 6, 7, 8, 9, 10, 11, 12, 20, 22, and 59 shall become effective immediately upon final approval of this grant by the County.
4. If any material provision of this grant is held or declared to be invalid, this entire grant shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the County Regional Planning Commission ("Commission") or a County hearing officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health, safety, or so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of this grant shall be recorded in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the site, or any portion thereof, during the term of this grant, the permittee shall promptly provide a copy of this grant and its terms and conditions to the transferee or lessee, as applicable, of the site. Upon

recordation, an official copy of the recorded conditions shall be provided to the Director of Regional Planning ("Director").

7. Within three days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Public Resources Code section 21152 for the CUP, Highway Realignment, and Vesting Tentative Tract Map No. 53189-(5) ("Vesting Map").
8. This grant provides for five (5) biennial inspections. The inspections will be unannounced. Within 30 days of the effective date of this grant, the permittee shall deposit with Regional Planning the sum of \$1,000.00, which shall be placed in a performance fund and used exclusively to compensate Regional Planning for all expenses incurred to inspect the subject property.
9. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for any and all inspections and/or for any enforcement efforts necessary to bring the subject property into compliance. Inspection shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved Exhibit "A" on file with Regional Planning. The amount charged for inspection shall be the amount equal to the recovery cost at the time of payment (currently \$200.00 per inspection).
10. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this grant approval, which action is brought within the applicable time period set forth in Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purposes of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to depositions, testimony, administrative record preparation, attorneys' fees, and other assistance to the permittee or the permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- A. If during the litigation process, actual costs incurred reach 80 percent of the amount of deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- B. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code ("County Code") section 2.170.010.

- 12. This grant shall expire unless used within two years after the recordation of a final map for the Vesting Map, or within two years after the recordation of the first final unit map for the project, if phased. In the event that the Vesting Map should expire without the recordation of a final map, or all final unit maps if phased, this grant shall terminate upon the expiration of the Vesting Map. Entitlement to the use of the property thereafter, or unrecorded portion thereof, shall be subject to the regulations then in effect.
- 13. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Map. An amended or revised Vesting Map may, at the discretion of the Director, constitute a revised Exhibit "A." All revised plans require the written authorization of the Director.
- 14. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant, the conditions of approval for the Vesting Map, and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
- 15. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.
- 16. No grading permit shall be issued prior to the recordation of a final map, or the first final unit map if phased, unless authorized by Regional Planning through the approval of a Revised Exhibit "A."
- 17. The permittee shall submit a copy of any and all covenants, conditions, and restrictions ("CC&Rs") for the project, and any maintenance agreements and covenants, to Regional Planning for review and approval. The CC&Rs shall include all of the conditions of this grant and the Vesting Map, and shall include language that those conditions required by this grant or the Vesting Map to be in

the CC&Rs may not be amended or eliminated from the CC&Rs without prior approval from the Director.

18. The permittee shall provide a current and valid water availability and will-serve letter to the satisfaction of the Director and the Director of the County Department of Public Works ("Public Works"): (a) prior to final map recordation (or any final unit map recordation, if phased); (b) prior to the issuance of any grading permit; and (c) prior to the issuance of any building permit.
19. The development of the subject property shall comply with all requirements and conditions of approval for the CUP, Highway Realignment Case, and Vesting Map.
20. Within 30 days of approval of this grant, the permittee shall record a covenant with the County agreeing to comply with the required environmental mitigation measures imposed in the Mitigation Monitoring Plan ("MMP") for the project, and attach the MMP to the recorded document. Prior to recordation of the covenant, the permittee shall submit a copy of the draft covenant to the Director for review and approval.
21. The environmental mitigation measures set forth in the Final EIR, as revised in the Comparative Impact Analysis for Revised One-Acre Lot Tract Map, dated November 5, 2007, and in the associated MMP are attached hereto and incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director for review and approval. The reports shall describe the status of the permittee's compliance with the required mitigation measures.

The reports shall be submitted in the following sequence:

- A. Prior to or concurrent with a final map or final unit map which the permittee submits to Regional Planning for review and approval.
 - B. Prior to or concurrent with the permittee's submittal of a revised Exhibit "A" to Regional Planning for the purposes of obtaining a grading permit.
 - C. Prior to the issuance of any building permit for the project.
 - D. Prior to the issuance of any certificate of occupancy for the project.
 - E. As frequently as may be required by the Director, until such time as all mitigation measures have been implemented and completed.
22. Within 30 days of the approval of this grant, the permittee shall deposit the sum of \$6,000.00 with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the MMP. The permittee shall retain the services of a qualified environmental/mitigation monitoring consultant,

subject to the approval of the Director, to ensure that all applicable mitigation measures are implemented and reported as required by the MMP.

23. The area of each lot within the project shall substantially comply with those shown on the approved Exhibit "A" for the project, or a revised Exhibit "A" approved by the Director. No lot within the project shall be less than one acre in size.
24. The subject property shall contain not less than 70 percent (130.2 acres) of open space.
25. The permittee shall dedicate open space Lot Nos. 42, 43, 44, 45, 46, and 47 to the County or other entity or organization identified in California Civil Code section 815.3, to the satisfaction of Regional Planning. The dedication shall contain language requiring that access to said open space lots for emergency purposes not be prohibited.
26. The permittee shall dedicate to the County the right to prohibit development, including but not limited to the construction of any structure and/or grading, on the open space areas depicted on Exhibit "A," or a revised Exhibit "A" approved by the Director, as open space Lot Nos. 42, 43, 44, 45, 46, and 47.
27. All commonly-owned areas within the density-controlled development shall be permanently reserved as open space. Such reservation shall be by establishment of a homeowners association, maintenance district, or other appropriate means or methods, to the satisfaction of the Director, to ensure the permanent reservation and continued perpetual maintenance of commonly-owned areas.
28. As a means to further ensure that commonly-owned areas remain permanent open space, no dwelling unit shall be sold, conveyed, or otherwise alienated or encumbered separately from an undivided interest in any commonly-owned areas comprising a part of the approved density-controlled development. Such undivided interest shall include either an undivided interest in the commonly-owned areas or a share in the corporation or other business entity or voting membership in an association owning the commonly-owned areas.
29. Prior to the issuance of any building permit for the project, the permittee shall work with the Director and the Director of Public Works, to their satisfaction, to prepare any reports, studies, or other documents necessary to evaluate and form a lighting and maintenance district pursuant to the California Streets & Highways Code sections 22500, et seq., for the purpose of installing and maintaining landscaping and general lighting within the common and public areas of the project. The permittee shall be responsible for all costs associated with the formation of such district, and shall bond with Regional Planning or Public Works as necessary to ensure that such costs are paid if they will be incurred subsequent to the recordation of a final map or any final unit map. The Director

may waive the requirements of this condition if, in the Director's sole discretion, the Director determines that the permittee has provided other equivalent or better means for the installation and maintenance of landscaping and general lighting within the common and public areas of the subdivision, such as through CC&Rs or otherwise.

30. The permittee shall ensure that the Lady Linda Loop Trail remains open to the public during all phases of project construction, unless closure of the trail is necessary to ensure the health and safety of the public. Not less than 48 hours prior to the closure of any portion of the Lady Linda Loop Trail, the permittee shall notify Regional Planning of the closure, and shall post notice of such closure at trailheads of the Lady Linda Loop Trail to the satisfaction of the Director. The permittee shall immediately remove all posted signs upon re-opening of the trail.
31. All dwelling units within the density-controlled development shall be single-family residences.
32. The maximum height of all structures within the project shall be 35 feet, not including chimneys and rooftop antennas, which may exceed 35 feet. Prior to the issuance of any building permit for the project, the permittee shall submit a revised Exhibit "A" depicting exterior elevations and major architectural features of all structures to the Director for review and approval.
33. Each single-family residence within the project shall have two covered parking spaces, which shall be developed and maintained in accordance with the specifications set forth in County Code section 22.52.1060. The required parking spaces shall be continuously available for vehicular parking only. No required parking space may be used for storage, automobile repair, or any other unauthorized use.
34. All structures shall comply with the requirements of Public Works' Division of Building and Safety ("Building and Safety").
35. All private and public streets within the project will incorporate rural street standards and features to the satisfaction of the Director and the Director of Public Works. Such standards and features may include, but are not necessarily limited to, reduced street lighting to protect night skies, rolled curbs or no curbs, and no sidewalks, in order to preserve the existing rural community character.
36. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence satisfactory to the Director that contractual arrangements have been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.
37. Detonation of explosives or any other blasting device or material is prohibited, unless the permittee obtains all permits required by the County Code or other

applicable law or regulation, and adjacent property owners have been notified in advance of the detonation.

38. All grading and construction on the subject property and appurtenant activities, including engine warm-up, within 300 feet of any occupied residential lot, shall take place between 7:00 a.m. and 7:00 p.m., Monday through Friday. No grading or construction activity shall take place on Saturday, Sunday, or legal holidays. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effects on nearby residences and neighborhoods. Generator and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.
39. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Director of Public Works.
40. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high wind (i.e., greater than 20 mph average over one hour) to prevent excessive amounts of dust.
41. Upon commencement of any grading activity allowed by this grant, the permittee shall diligently pursue all grading to completion.
42. No construction equipment or vehicle may be parked or stored on any existing public or private streets, including but not limited to the personal vehicles belonging to the construction crew.
43. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this grant.
44. All construction and development within the subject property shall comply with the applicable provisions of the County Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County.
45. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the property, or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

46. The permittee shall utilize water-saving devices and technology in the construction of this project, consistent with the County Building and Plumbing Codes, and any other applicable County ordinance.
47. The subject property shall be developed and maintained in compliance with all applicable requirements of the County Department of Public Health ("Public Health"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of Public Health.
48. If during construction of the project soil contamination is suspected, construction in the potentially contaminated area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health, the California Regional Water Quality Control Board, and any other oversight agency with jurisdiction over the project.
49. Prior to the issuance of any building permit for the project, the permittee shall demonstrate compliance with State seismic hazard safety laws to the satisfaction of Public Works.
50. Prior to the issuance of any grading permit for the project, the project design shall provide for the filtering of flows to capture contaminants originating from the project site to the satisfaction of, and as approved by, Public Works.
51. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
52. During construction, all large-sized truck trips shall be limited to off-peak commute periods. The permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy construction equipment and/or materials which require the use of oversized-transport vehicles on State highways.
53. All graded slopes (cut and fill) shall be re-vegetated. Prior to the issuance of any grading or building permit for the project, three copies of a landscape plan, which may be incorporated into a revised Exhibit "A," shall be submitted to the Director for review and approval. The landscape plan shall show the size, type, and location of all plants, trees, and sprinkler facilities, including all landscaping and irrigation. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation.
 - A. In addition to the review and approval by the Director, the landscaping plans shall be reviewed by the staff biologist of Regional Planning and the County Forester and Fire Warden ("Forester"). Their review shall include an evaluation of the balance of structural diversity (e.g., trees, shrubs, and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements. No invasive species are permitted.

- B. The landscaping plan must show that landscaped areas shall contain only locally indigenous species, including trees, shrubs, and ground covering. However, if the permittee demonstrates to the satisfaction of the Director that compliance with this requirement is not possible due to County fire safety requirements, then the Director may determine that a lower percentage of such planting shall be required. In those areas where the Director approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 80 percent. The landscaping shall include trees, shrubs, and ground covering at a mixture and density determined by the Director and the Forester. Fire-retardant plants shall be given first consideration.
 - C. Prior to the issuance of any grading or building permit for the project, the permittee shall submit to the Director for review and approval a landscaping phasing plan for the landscaping associated with the proposed grading or construction. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.
- 54. All slope improvements, including terrace drains, shall use colored concrete or other material so as to blend with surrounding vegetation. Prior to the issuance of any grading permit for the project, the permittee shall submit sample materials, including color palette, with a landscape plan, as a revised Exhibit "A," to demonstrate compliance with this condition. Prior to the issuance of any building permit for the project, the permittee shall submit evidence of installation of the colored concrete or other material.
 - 55. The permittee shall, within 12 months of the effective date of this grant, grant a site or sites in fee title to the County Flood Control District for future sediment placement, the size and location of which shall be to the satisfaction of Public Works. The grant shall be made in accordance with the Subdivision Map Act, Government Code section 66477.5.
 - 56. Development on the site shall comply with the County Low Impact Development (LID) requirements. The permittee shall fully assess and incorporate all appropriate best management practices (BMPs) to enhance the quality of urban and stormwater runoff.
 - 57. The permittee shall comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit issued by the Los Angeles Regional Water Quality Control Board to the County and local agencies.
 - 58. Prior to the issuance of any grading or building permit for the project, the permittee shall submit a site plan to the Director for review and approval indicating that the proposed construction and associated grading:

- A. Comply with the conditions of this grant and the standards of the zone.
 - B. Are compatible with hillside resources.
 - C. Are compatible with SEA No. 19 on the site.
59. Within three days of the final approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with California Public Resources Code section 21152. The project is not *de minimis* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Wildlife pursuant to Fish and Game Code section 711.4. The subdivider shall pay the fee in effect at the time of the filing of the NOD, currently \$3,029.75 for an environmental impact report, plus a \$50 processing fee. No land use project subject to this requirement is final, vested, or operative until the fee is paid.

Attachments

Mitigation Monitoring Plan (Pages 1 to 12)

Mitigation Measure	Timing	Responsible Party	Verification
Geotechnical Hazards (Section 3.1)			
MM 3.1-1 During construction, all grading and earthwork shall be conducted in conformance with the recommendations set forth in the geotechnical investigation and review sheets from A.G.I. Geotechnical, Inc.; shall be performed under the observation of a registered Geotechnical Engineer in order to achieve proper sub-grade preparation, selection of satisfactory materials, and placement and compaction of all engineered fill; and shall be verified by the Department of Public Works.	During all construction activities.	County Department of Public Works	Review of grading plans and on-site field check
MM 3.1-2 Compaction of alluvial and colluvial soils shall be required during grading and prior to fill replacement. The removed soil shall be re-compacted as engineered fill in accordance with the recommendations in the Geotechnical Investigation and Response to Review Sheets by AGI Geotechnical, Inc.; shall be performed under the observation of a registered Geotechnical Engineer, and shall be verified by the Department of Public Works. The specific depth and extent of removals shall be determined during grading based upon observation and testing. Removal of compressible materials shall be required in areas planned for development.	During grading activities.	County Department of Public Works	Review of grading plans and on-site field check
Flood Hazards (Section 3.2)			
MM 3.2-1 The Project Applicant shall submit a CLOMR to FEMA and receive a notice of approval from FEMA for the adjustment to the Zone A flood limits prior to any grading within existing FEMA flood limits. The existing FEMA flood limits will be fenced with chain link fencing during grading activities on the site until the CLOMR has been approved.	Prior to grading within the existing FEMA flood limits.	County Department of Public Works	Review CLOMR and notice of approval from FEMA
Fire Hazards (Section 3.3)			
MM 3.3-1 As required by Section 1117.2.1 of the County of Los Angeles Fire Code (Title 32), a fuel modification plan, landscape plan, and an irrigation plan shall be submitted to the Forestry Division and the County Department of Regional Planning and must be approved prior to the issuance of a grading permit. The project shall comply with the all applicable requirements of Los Angeles County Code Title 32, Fire Code.	Prior to the issuance of a grading permit.	County Department of Regional Planning and County Fire Department	Review of a fuel modification plan, landscape plan, and an irrigation plan
MM 3.3-2 The CC&Rs of the Homeowners Association shall state that structures constructed with flammable materials are prohibited in the backyards of Lots 24 through 32 in order to maintain the 100-foot fuel modification buffer without impacting the SEA. The HOA shall enforce this requirement.	Prior to issuance of building permits, the CC&Rs will be submitted to County for review.	County Department of Regional Planning	Review and recording of CC&Rs
MM 3.3-3 Prior to issuance of a building permit, the Project Applicant shall pay the required fire mitigation fee for fire services provided by the County of Los Angeles.	Prior to the issuance of a building permit.	County Fire Department	Receipt and/or proof of payment

Mitigation Measure	Timing	Responsible Party	Verification
Water Quality (Section 4.1)			
MM 4.1-1 Prior to the issuance of a grading permit, the Project Applicant shall be responsible for filing a Notice of Intent and the appropriate fees to the State Water Quality Control Board in order to obtain coverage under the NPDES General Construction Permit for construction activities. Pursuant to the permit requirements, the Project Applicant shall develop a Storm Water Pollution Prevention Plan that incorporates Best Management Practices, including sandbags along roadways and temporary desilting basins, for minimizing construction-related pollutants in the site runoff.	Prior to the issuance of a grading permit.	County Department of Public Works	Review of approved NPDES General Construction Permit
MM 4.1-2 Prior to issuance of a grading permit, the Project Applicant shall apply for annexation into the service area of the Los Angeles County Sanitation District No. 36. The proposed project will comply with the Los Angeles County Sanitation District No. 36 requirements that prohibit the installation of self-regenerating water softeners. The Homeowners Association CC&Rs shall specifically prohibit the use of self-regenerating water softeners.	Prior to the issuance of a grading permit.	County Department of Public Works	Review of annexation application to Los Angeles County Sanitation District No. 36
MM 4.1-3 All storm drain inlets and catch basins with the project area shall be stenciled with prohibitive language (such as: NO DUMPING – DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping. Signs and prohibitive language shall be posted at public access points along the San Francisco Canyon Creek within the project area and all signs and stenciled shall be maintained by the Homeowners Association.	Prior to the issuance of certificate of occupancy.	County Department of Public Works	On-site field check
MM 4.1-4 The use of herbicides and pesticides will be prohibited from use on the manufactured slopes adjacent to the rear of Lots 24 through 32 along the SEA. The CC&Rs of the Homeowners Association will specifically prohibit the use of such chemicals by the landscape contractors hired by the HOA to maintain the common areas on the site.	Prior to issuance of building permits, the CC&Rs will be submitted to County for review.	County Department of Regional Planning	Review and recording of CC&Rs
Air Quality (Section 4.2)			
MM 4.2-1 Per the SCAQMD Rule 403 Implementation Handbook, the Project Applicant shall implement the following BMPs to minimize fugitive dust emissions. This requirement shall be included in the construction plans and verified by the County Engineer. <ul style="list-style-type: none"> Visible roadway dust tracked from the project site to public paved roadways as the result of active operations shall be removed at the conclusion of each workday. Gravel or a comparable substance shall be placed at the entrance to the project site to remove excess dust and debris from the tires of construction vehicles. 	During all grading and/or earthmoving activities.	County Department of Public Works	Review of construction plans and on-site field check

Mitigation Measure	Timing	Responsible Party	Verification
<ul style="list-style-type: none"> Bulk material tracked onto paved public roadways should either be prevented or removed within 1 hour. 			
<p>MM 4.2-2 The Project Applicant will require that all coatings are SCAQMD-compliant and will use pre-coated materials to the extent feasible.</p>	<p>Prior to issuance of certificate of occupancy.</p>	<p>County Department of Public Works</p>	<p>On-site field check</p>
<p>MM 4.2-3 The following Mitigation Measures used in the URBEMIS 2002 model will reduce PM₁₀ fugitive dust emissions and equipment gaseous emissions.</p> <ul style="list-style-type: none"> Apply soil stabilizers to inactive areas. Replace ground cover in disturbed areas quickly. Water exposed surfaces three times daily. Cover all stockpiles with tarps. Water all haul roads three times daily. Reduce speed on unpaved roads to 15 miles per hour. Turn off equipment when not in use for longer than 5 minutes. 	<p>During all construction activities.</p>	<p>County Department of Public Works</p>	<p>On-site field check</p>
<p>Biota (Section 4.3)</p>			
<p>MM 4.3-1 The loss of coastal sage scrub, holly-leaf cherry woodland, and alluvial sage scrub (i.e., proposed roadway expansion) within the impact area is considered a significant impact. These vegetation types will be restored on site or, if appropriate, off site at a ratio of not less than 1:1, as agreed to by the County of Los Angeles Department of Regional Planning and the Project Applicant. A revegetation program will be implemented in accordance with a County-approved landscape palette on all graded areas not utilized for improvements or structures. The revegetation program will be submitted to the County of Los Angeles Department of Regional Planning for review and approval by a qualified biologist prior to issuance of grading permits. Restoration will consist of seeding and container planting of appropriate species. Impacts are considered less than significant after implementation of the following measures:</p> <ul style="list-style-type: none"> A detailed restoration program will be developed prior to map recordation and implemented and will contain the following items: <ol style="list-style-type: none"> Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the landowner, specialist, and maintenance personnel that will supervise and implement the plan will be specified. Site selection. The site(s) for mitigation will be determined in coordination with the Project Applicant and the Los Angeles Department of Regional Planning. The site 	<p>Submit vegetation program prior to the issuance of a grading permit.</p>	<p>County Department of Regional Planning</p>	<p>Review of restoration program and on-site field check.</p>

Mitigation Measure	Timing	Responsible Party	Verification
<p>will be located in a dedicated open space area and will be contiguous with other natural open space areas.</p> <p>c. <i>Site preparation and planting implementation.</i> The site preparation will include: 1) protection of existing native species; 2) trash and weed removal; 3) native species salvage and reuse (i.e., duff); 4) soil treatments (i.e., imprinting, decompacting); 5) erosion control measures (i.e., rice or willow wattles); and 6) native seed mix application.</p> <p>d. <i>Schedule.</i> Establishment of restoration/revegetation sites will be conducted between October 1st and January 30th. Seeding and planting of container plants will take place immediately after preparation of the restoration sites.</p> <p>e. <i>Maintenance plan/guidelines.</i> The maintenance plan will include: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.</p> <p>f. <i>Monitoring Plan.</i> The monitoring plan will include: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the County, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the County for 3 to 5 years. The monitoring will be conducted for 3 to 5 years, depending upon the performance of the mitigation site.</p> <p>g. <i>Long-term preservation.</i> Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.</p> <p>h. <i>Performance standards</i> will be identified and will apply for the revegetation of sage scrub. Revegetation will be considered successful at 3 years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing, restored, and created habitat areas.</p> <p>In addition, earth-moving equipment will avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the construction boundary limits will be marked by the construction supervisor and the project biologist. These limits will be identified on the grading plan. The applicant will submit a letter to the County of Los Angeles verifying that construction limits have been flagged in the field. No earth-moving equipment will be allowed outside the construction boundary.</p>			

Mitigation Measure	Timing	Responsible Party	Verification
<p>MM 4.3-2 Upon completion of construction activities, impacts to approximately 0.17 acre of non-wetland ACOE and CDFG jurisdictional waters will be mitigated within the project boundaries through the creation of 0.17 acre of non-wetland jurisdictional waters. In addition to this assurance of "no net loss" of ACOE and CDFG jurisdictional area within the project boundaries, another 0.17 acre of non-wetland jurisdictional area will be restored or enhanced on the project site for a total of 2:1 replacement. Acquisition of a Section 404 "dredge and fill" permit from the ACOE (possibly through the use of Nationwide Permit No. 39), a Section 1602 "streambed alteration" permit from the CDFG, and a Section 401 water quality certification or waiver will be obtained from the Regional Water Quality Control Board.</p> <p>Prior to the final submittal of an application for an ACOE permit or CDFG agreement, the Project Applicant will develop a mitigation plan for the ACOE, CDFG, and Los Angeles Department of Regional Planning. The objective of the mitigation is to ensure no net loss of habitat values as a result of the project. The detailed restoration program will contain the following items:</p> <ol style="list-style-type: none"> Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the landowner, specialists and maintenance personnel that would supervise and implement the plan will be specified. Site selection. The site(s) for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The site will be located in a dedicated open space area and will be contiguous with other natural open space. Site preparation and planting implementation. The site preparation will include: 1) protection of existing native species; 2) trash and weed removal; 3) native species salvage and reuse (i.e. duff); 4) soil treatments (i.e., imprinting, decompacting); 5) temporary irrigation installation; 6) erosion control measures (i.e., rice or willow wattles); 7) native seed mix application, and 8) native container species. Schedule. A schedule will be developed which includes planting to occur in late fall and early winter, between October 1st and January 30th. Maintenance plan/guidelines. The maintenance plan will include: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting. Monitoring Plan. The monitoring plan will include: 1) qualitative monitoring (i.e., photographs and general observations); 2) quantitative monitoring (i.e., randomly placed transects); 3) performance criteria as approved by the resource agencies; 4) monthly reports for the first year and bimonthly reports thereafter, and 	<p>Upon completion of construction activities and as required by ACOE and CDFG.</p>	<p>County Department of Regional Planning, U.S. Army Corps of Engineers, and California Department of Fish and Game</p>	<p>Review of mitigation plan and on-site field check.</p>

Mitigation Measure	Timing	Responsible Party	Verification
<p>5) annual reports which will be submitted to the resource agencies for 3 to 5 years. The site will be monitored and maintained for 5 years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to 5 years, the Project Applicant may request from ACOE and CDFG to be released from monitoring requirements.</p> <p>g. <i>Long-Term Preservation.</i> Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.</p> <p>h. Performance standards will be identified and will apply for the restoration of riparian habitat. Revegetation will be considered successful at 3 years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing and restored and/or created habitat areas.</p> <p>This revegetation/enhancement plan may be combined with the revegetation plan required by Mitigation Measure 4.3-1, if appropriate.</p> <p>MM 4.3-3 Braunton's milk-vetch was not detected during the special status plant surveys. Prior to issuance of a grading permit, a follow-up survey for this species will be conducted in any area partially disturbed for surveyor access or geotechnical studies, or areas that may have recently burned in a wildfire. If Braunton's milk vetch is found in the study area during follow-up surveys, the applicant will be required to consult with the USFWS and CDFG to obtain a permit under Section 7 or 10(a) of the federal Endangered Species Act and a Section 2081 concurrence from CDFG under the State Endangered Species Act to impact this species. The consultation process will include preparation of a mitigation plan to avoid, relocate, or minimize impacts on this species. This plan will be submitted to and approved by the USFWS and CDFG.</p> <p>MM 4.3-4 Slender mariposa lilies (<i>Calochortus clavatus</i> ssp. <i>gracilis</i>), possibly hybridized with club-haired mariposa lilies (<i>Calochortus clavatus</i> ssp. <i>clavatus</i>), have been observed during special status plant surveys on the site. Impacts on the slender mariposa lily population are considered significant under the CEQA, but can be mitigated to a level less than significant by the following measures.</p> <p>a. Preparation and Submission of Mitigation Plan: A Mitigation Plan will be prepared by a qualified Biologist. The plan will include: 1) a summary of mitigation area conditions; 2) a discussion of the mitigation program and anticipated success; 3) guidelines for mitigation area preparation; 4) guidelines for bulb collection; 5) guidelines for transporting and replanting salvaged bulbs; 6) guidelines for long-term site maintenance and performance monitoring; 7) site status documentation; and 8) a discussion of site performance standards such as survival rate.</p>			
	<p>Prior to the issuance of a grading permit.</p>	<p>County Department of Regional Planning</p>	<p>Review of follow-up Braunton's milk-vetch survey results</p>
	<p>Submit lily mitigation plan prior to the issuance of a grading permit.</p>	<p>County Department of Regional Planning</p>	<p>Review of mitigation plan and on-site field check</p>

Mitigation Measure	Timing	Responsible Party	Verification
<p>b. Collection and Transplantation of Bulbs: Prior to any ground-disturbing activities, the slender mariposa lily population located within the project impact area will be transplanted to an on-site mitigation area. The mitigation area is located in Open Space Lot 47 and is outside of the proposed grading footprint and fuel modification areas. The bulbs will be transplanted directly into the mitigation area on the same day they are collected by a Landscape Contractor experienced in native habitat maintenance, and the plants will be protected from herbivores by the installation of wire cages.</p> <p>c. Supervision and Documentation of Transplantation: Bulb transplantation efforts will be documented by a Biological Monitor, who will keep field notes including the number and condition of bulbs transplanted.</p> <p>d. Establishment of Maintenance and Monitoring Plan: Performance criteria and remediation measures will be reviewed and approved by the County. Program monitoring will occur over a 5-year period, including qualitative monitoring visits during the first season after transplant, monthly visits during the first lily blooming season (February - June 2006) to assess establishment success, non-native species coverage, and general site conditions, and additional monitoring visits to assess site conditions that may affect future success of lily establishment.</p> <p>Remedial measures, such as invasive species control or soil amendments, will be recommended as needed in a timely manner to facilitate compliance with required performance standards. Any necessary contingency planting would be performed using seeds collected from adjacent lily populations located on the site, outside the project impact area.</p>			
<p>MM 4.3-5 A relocation program for the western spadefoot will be conducted during the spring prior to construction at the height of the breeding season for this species (February through May and as determined by a qualified Biologist monitoring a known location of this species). A detailed methodology for this effort will be submitted and approved by CDFG prior to implementation of the relocation program. Results of the relocation program will be provided to CDFG and the County of Los Angeles.</p> <p>The intent of the relocation plan will be to capture and relocate as many western spadefoots as possible. Western spadefoots will be relocated to an area of suitable habitat that takes into consideration habitat requirements for all life stages of the toad, as approved by CDFG. The site will be granted to the County of Los Angeles and will be located in an area of preserved open space protected from future development. The relocation breeding pool will be no smaller in size, and similar or better in quality, as the habitat within the project impact area where the western spadefoots are captured.</p>	<p>Submit western spadefoot relocation plan prior to the issuance of a grading permit.</p>	<p>County Department of Regional Planning and California Department of Fish and Game</p>	<p>Review of relocation plan and on-site field check</p>

Mitigation Measure	Timing	Responsible Party	Verification
<p>MM 4.3-6 A qualified Biologist, approved by the County, will install pit-fall traps and arrays beginning at least one week prior to the commencement of vegetation removal. The qualified Biologist will be present to monitor the traps during vegetation removal and will also opportunistically salvage and relocate the coastal western whiptail as well as other special status amphibians and reptiles to similar habitat within proposed open space in San Francisco Canyon.</p>	<p>Prior to commencement of vegetation removal.</p>	<p>County Department of Regional Planning</p>	<p>Review of survey results and on-site field check</p>
<p>MM 4.3-7 Trimming of some native plants and clearing of non-native invasive species for fuel modification, will be monitored by a qualified Biologist if it occurs during the peak bird nesting season. If possible, dependent upon the growth cycle of targeted annuals and the requirements of the Fire Department, brush management will be conducted outside of the peak bird nesting season (March 15 to September 15) to ensure that potential impacts to nesting birds are avoided.</p>	<p>CC&Rs incorporating these provisions will be submitted to County for review prior to final map recordation.</p>	<p>County Department of Regional Planning</p>	<p>Review of CC&Rs</p>
<p>MM 4.3-8 Prior to the issuance of a grading permit, a Landscape Plan, prepared by HRP LandDesign, will be submitted and approved by the Los Angeles County Department of Regional Planning. The Landscape Plan requires the planting of native, drought-tolerant plant species. Implementation of the Landscape Plan and brush management requirements will be coordinated with the Project Biologist and approved by the Los Angeles Department of Regional Planning.</p>	<p>Prior to the issuance of a grading permit.</p>	<p>County Department of Regional Planning</p>	<p>Review of landscape plan and on-site field check</p>
<p>MM 4.3-9 Seven days prior to the start of construction activities, a qualified biologist will conduct a survey to determine if any raptors are nesting in or adjacent to the impact area. If nesting is not occurring, construction work can proceed. If an active nest is present, construction work will be prohibited within 500 feet of the nest (or as otherwise determined and approved by Department of Regional Planning Biologist) until fledglings have left the nest. Results of the surveys will be provided to CDFG and the County.</p>	<p>Seven days prior to the start of construction activities.</p>	<p>County Department of Regional Planning</p>	<p>Review of survey results</p>
<p>MM 4.3-10 Prior to the issuance of a grading permit, the Project Applicant will apply for coverage under the State Water Resources Control Board's General Permit for Storm Water Discharge Associated with Construction Activity (Construction Activities General NPDES Permit) and will comply with all the provisions of the permit, including the development of a Storm Water Pollution Prevention Plan, which includes provisions for the implementation of Best Management Practices and erosion control measures. Best Management Practices will include both structural and non-structural measures. The purpose of this Mitigation Measure is to insure that site runoff does not adversely affect SEA No. 19 and downstream biological resources.</p>	<p>Prior to the issuance of a grading permit.</p>	<p>County Department of Public Works</p>	<p>Review of application for NPDES permit and on-site field check</p>

Mitigation Measure	Timing	Responsible Party	Verification
<p>MM 4.3-11 The Codes, Covenants and Restrictions (CC&Rs) of the Homeowners Association (HOA) shall require that all backyard lighting in Lot 24 through Lot 32, which are adjacent to the SEA No. 19, must not be directed into the SEA. For these lots, all backyard lighting must be mounted to the home structure and may not be freestanding or placed on backyard fences.</p>	<p>Prior to the issuance of building permits, the CC&Rs will be submitted to County for review.</p>	<p>County Department of Regional Planning</p>	<p>Review and recording of CC&Rs and on-site field check</p>
<p>MM 4.3-12 The portion of SEA No. 19 located within the proposed project site will be recorded as Open Space Lot No. 46 with approval of the Tentative Tract Map. Backyard fencing will be constructed behind all lots to protect open space areas, including the SEA No. 19 upon completion of site preparation and grading. This fencing would be required in order to prevent intrusion by future residents of the development and their pets. The fencing will discourage people and pets from entering the SEA. The fence will include permeable materials (i.e., wrought iron) in order to maintain view from the properties. Signs will be evenly-spaced along the western edge of the SEA near Lot 24 through Lot 32 indicating that areas on the other side of the signs contain sensitive biological resources. The signs will be installed and maintained throughout the life of the project by the HOA. The CC&Rs of the HOA shall disclose the existence of the SEA and the responsibility each homeowner has for ensuring its protection.</p>	<p>Prior to the issuance of building permits.</p>	<p>County Department of Regional Planning</p>	<p>On-site field check</p>
<p>MM 4.3-13 Should lighting be required by the County to illuminate San Francisco Canyon Road upon widening of the roadway, a lighting plan will be submitted to the County for review prior to approval of the roadway project. The lighting plan shall demonstrate that illumination from the proposed road expansion will be directed away from natural open space areas on and adjacent to the project impact area. If the County determines that the proposed lighting plan would potentially indirectly impact adjacent biological resources, the lighting plan will be redesigned or additional mitigation consistent with Mitigation Measure 4.3-15 will be required.</p>	<p>Prior to the initiation of the San Francisco Road expansion (if roadway expansion is required by the County of Los Angeles).</p>	<p>County Department of Public Works</p>	<p>Review of lighting plan</p>
<p>MM 4.3-14 Prior to the initiation of the San Francisco Road expansion and/or the Clifflie Stone Trail construction, a tree survey will be conducted within the area of the proposed roadway expansion and trail area. All trees meeting the County Oak Tree Ordinance requirements will be tagged, mapped, and evaluated to determine the approximate number of trees that would be impacted. Project design will be altered to avoid and minimize impacts on oak trees to the extent practicable, particularly if a heritage tree would be impacted. The heritage trees on the project site are adjacent to the proposed road alignment. Upon approval of the final design plans for the proposed roadway and trail alignment, the Project Applicant will develop a detailed oak woodland mitigation plan and submit the plan to the County for review and approval. The objective of the mitigation plan is to ensure no net loss of habitat values as a result of the project implementation. Required replacement trees shall be in the ratio of at least 2:1, consistent with the</p>	<p>Prior to the initiation of the San Francisco Road expansion and/or the Clifflie Stone Trail construction (if roadway expansion is required by the County of Los Angeles).</p>	<p>County Department of Regional Planning</p>	<p>Review tree survey results</p>

Mitigation Measure	Timing	Responsible Party	Verification
<p>Los Angeles County Oak Tree Ordinances (Ord. 88-0157, adopted September 13, 1988). The mitigation plan shall require that a Biological Monitor be present during project grading to record the exact number of native trees impacted.</p>			
<p>MM 4.3-15 Prior to the issuance of a grading permit for the construction of the San Francisco Road expansion and/or the Cliffe Stone Trail, special status plant and wildlife surveys will be conducted. The results of these surveys and associated mitigation will be submitted to Los Angeles County Regional Planning Department for approval.</p>	<p>Prior to the issuance of a grading permit.</p>	<p>County Department of Regional Planning</p>	<p>Review results of special status plant and wildlife surveys</p>
<p>MM 4.3-16 Upon completion of the levee construction, the excavation area shall be entirely backfilled with existing San Francisco Creek soil and only the 4 horizontal feet of above ground levee "free board" space would be visible. The impacted area shall be restored onsite with alluvial sage scrub habitat in accordance with the requirements of the County of Los Angeles Department of Regional Planning approved revegetation program. The levee shall be constructed with ungrouted rip-rap, which would allow for percolation of water, accumulation of transported soils, and establishment of plant life.</p>	<p>Prior to issuance of building permit.</p>	<p>County Department of Regional Planning and Department of Public Works</p>	<p>Review revegetation program and on-site field check</p>
<p>Cultural Resources (Section 4.4)</p>			
<p>MM 4.4-1 In accordance with PRC 5097.94, if human remains are found, construction activity in the area of the find must halt and the Los Angeles County coroner must be notified within 24 hours of the discovery. If the coroner determines that the remains are not recent, the coroner will notify the Native American Heritage Commission for consultation.</p>	<p>During all construction activities.</p>	<p>County Department of Regional Planning</p>	<p>On-site field check</p>
<p>MM 4.4-2 The applicant shall agree to suspend construction in the vicinity of an archaeological resource encountered during ground-disturbing activities at the site and leave the resource in place until a qualified Archaeologist can examine them and determine appropriate Mitigation Measures.</p>	<p>During all construction activities.</p>	<p>County Department of Regional Planning</p>	<p>On-site field check</p>
<p>MM 4.4-3 A qualified Paleontologist shall be retained to attend pre-grade meetings and to monitor earthmoving activities, including grading and trenching below a depth of 8 feet in lower alluvial areas of the site and all grading and cutting in elevated hilly areas of the site. If fossil resources are uncovered, a subsurface evaluation may be needed to assess the discovery. In the event that fossils are exposed, the Paleontologist shall be allowed to temporarily divert or re-direct grading in the area of the exposure to recover potentially significant fossils. Because the Saugus Formation is known to contain tiny microfossils, the Paleontologist should periodically screen sediment samples in order to identify these resources. Excavated significant fossil finds shall be offered, on a first right-of-refusal basis, to a repository with a retrievable collection system and an educational and research interest in the materials</p>	<p>Prior to commencement of grading activities and during grading activities.</p>	<p>County Department of Regional Planning</p>	<p>Retention of a qualified Paleontologist</p>

Mitigation Measure	Timing	Responsible Party	Verification
such as the Natural History Museum of Los Angeles County.			
Visual Qualities (Section 4.5)			
<p>MM 4.5-1 At the completion of construction activities, all manufactured slope areas shall be landscaped. Landscaping plans for the project site would use native vegetation (i.e., oaks, coastal sage scrub) on manufactured slopes that are adjacent to naturally vegetated areas to minimize the potential visual impacts of development. The plan materials, placement, and maintenance of the native revegetation would be approved by the Fire Department, Department of Regional Planning, and by the Project Biologist. The manufactured slope behind Lot 23 would be constructed at a 3:1 grade to ensure slope stability and to minimize potential erosion along the hillside area. This manufactured slope shall be contoured to reflect the natural topography to the greatest extent feasible in order to enhance the aesthetic qualities of the slope area.</p>	<p>Landscaping shall be completed prior to issuance of occupancy permits and the Landscape Plan shall be submitted and approved by the Department of Regional Planning prior to the issuance of a grading permit.</p>	<p>County Department of Regional Planning</p>	<p>Review of landscape plans and on-site field check</p>
Traffic/Access (Section 5.1)			
<p>MM 5.1-1 Prior to the issuance of occupancy permits, the Project Applicant will contribute its pro-rata fair share (1.3 percent) of the costs of restriping the McBean Parkway and Copper Hill Drive intersection.</p>	<p>Prior to the issuance of occupancy permits.</p>	<p>County Department of Public Works</p>	<p>Receipt and/or proof of payment</p>
Sewage Disposal (Section 5.2)			
<p>MM 5.2-1 Prior to the issuance of connection permits and building permits, the Project Applicant shall pay connection fees to the County Sanitation Districts of Los Angeles County.</p>	<p>Prior to the issuance of connection permits and/or building permits.</p>	<p>County Department of Public Works and County Sanitation Districts of Los Angeles County</p>	<p>Receipt and/or proof of payment</p>
<p>MM 5.2-2 After approval of the annexation by the Board of Directors of County Sanitation District No. 32 of Los Angeles County and prior to the issuance of occupancy permits, the Project Applicant shall pay annexation fees to the County Sanitation Districts of Los Angeles County.</p>	<p>After approval of the annexation by the Board of Directors of County Sanitation District No. 32 of Los Angeles County and prior to the issuance of occupancy permits.</p>	<p>County Department of Public Works and County Sanitation Districts of Los Angeles County</p>	<p>Receipt and/or proof of payment</p>
Education (Section 5.3)			
<p>MM 5.3-1 Prior to the issuance of a building permit, the Project Applicant shall pay developer fees to the Saugus Union School District pursuant to the requirements established in SB50.</p>	<p>Prior to the issuance of a building permit.</p>	<p>County Department of Public Works and Saugus Union School District</p>	<p>Receipt and/or proof of payment</p>

Mitigation Measure	Timing	Responsible Party	Verification
MM 5.3-2 Prior to the issuance of a building permit, the Project Applicant shall pay developer fees to the William S. Hart School District pursuant to the requirements established in SB50, or shall negotiate a separate agreement with the WHSD for school mitigation.	Prior to the issuance of a building permit.	County Department of Public Works and William S. Hart School District	Receipt and/or proof of payment
MM 5.3-3 Prior to the issuance of a building permit, the Project Applicant shall pay the Facilities Mitigation Fee Program for library services.	Prior to the issuance of a building permit.	County Department of Public Works and County Public Library	Receipt and/or proof of payment
Water Utilities (Section 5.4)			
MM 5.4-1 Prior to issuance of a building permit, the developer shall submit to the NCWD all plans, designs, and fire department regulations for the development in order that the NCWD may design the necessary water system facilities required for the development in accordance with the NCWD's Rules and Regulations; or, at the NCWD's option, the water system may be designed by the developer, subject to the NCWD's review and approval.	Prior to the issuance of a building permit.	County Department of Regional Planning and Newhall County Water District	Review of development plans
MM 5.4-2 Prior to the issuance of a building permit, the developer shall grant the NCWD any and all easements required for water service, together with a policy of title insurance, satisfactory to the NCWD, guaranteeing the NCWD's title to such easements.	Prior to the issuance of a building permit.	County Department of Regional Planning and Newhall County Water District	Review of proposed easements
MM 5.4-3 Prior to the issuance of a building permit, the developer shall, in accordance with the NCWD's Rules and Regulations, and any required Water Service Agreement, pay all required fees and charges, including any required deposit amount in order to process plans, design and complete construction of required on-site and off-site improvements, and (if NCWD elects to design the water system) all costs and expenses of design.	Prior to the issuance of a building permit.	County Department of Regional Planning and Newhall County Water District	Receipt and/or proof of payment
Environmental Safety (Section 6.1)			
MM 6.1-1 Prior to issuance of a building permit, the 2 abandoned oil wells on the project site will be re-abandoned according to current California Department of Conservation, Division of Oil, Gas, and Geothermal Resources standards. Vegetation temporarily impacted by the re-abandonment process will be reseeded with native plant material mix.	Prior to the issuance of a building permit.	County Department of Regional Planning and California Department of Conservation, Division of Oil, Gas, and Geothermal Resources	On-site field check

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NUMBER 00-81-(5)
HIGHWAY REALIGNMENT CASE NUMBER 00-81-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on March 27, 2007, and February 26, 2008, in the matter of Conditional Use Permit No. 00-81-(5) ("CUP"), and Highway Realignment Case No. 00-81-(5) ("Highway Realignment Case"). The CUP and Highway Realignment Case were heard concurrently with Vesting Tentative Tract Map No. 53189-(5) ("Vesting Map") (the CUP, Highway Realignment Case, and Vesting Map are collectively referred to as the "Project"). The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP, Highway Realignment Case, and Vesting Map on March 3, 2006, May 10, 2006, and August 16, 2006.

Summary of Project

2. The permittee, Sun Cal Companies, proposes to subdivide approximately 185.8 gross acres of vacant, undeveloped land into 47 lots consisting of 37 single-family residential lots, six open space lots, and four public facility lots, in unincorporated County territory within the Santa Clarita Valley. Each of the 37 single-family lots will be one acre in size or greater and will be clustered on the western and northwestern portions of the site, and west of the San Francisquito Canyon Creek, which traverses the site north-to-south.
3. The CUP is a request to: (a) authorize on-site grading in excess of 100,000 cubic yards; (b) ensure compliance with the requirements applicable to a density-controlled development pursuant to Los Angeles County Code ("County Code") section 22.56.205; and (c) ensure compliance with the requirements applicable to development within a hillside management area and a Significant Ecological Area ("SEA") pursuant to County Code section 22.56.215.
4. The Highway Realignment Case is a request to realign San Francisquito Canyon Road, designated a limited secondary highway on the Master Plan of Highways under the Santa Clarita Valley Area Plan ("SCVAP") adopted in 2012. The Highway Realignment Case would authorize a paper realignment of San Francisquito Canyon Road between Lowridge Place and Cherokee Canyon Lane to reflect the actual location of the physically existing roadway, which is outside of the San Francisquito floodplain and SEA. As required by the County Code and the 1984 SCVAP, the Highway Realignment Case was initially presented to the County Interdepartmental Engineering Committee for consideration, which recommended approval of the matter.
5. The Vesting Map is a related request to create 47 lots on the site, consisting of 37 single-family residential lots, six open space lots, and four public facility lots.

Site Description

6. As more fully explained in paragraphs 36 through 38, below, the SCVAP was originally adopted by the Board in February 1984 ("1984 SCVAP"). In November 2012, after the Board closed the public hearing for the Project and indicated its intent to approve the Project, the Board adopted a revised SCVAP ("2012 SCVAP") which made a number of changes affecting the Project site, including changing the site's land use designation and zoning, as well as revisions to the SEA on the site. However, the 2012 SCVAP specifically exempts developments such as the Project from the 2012 SCVAP's provisions. In addition, Government Code section 66474.2(a) requires that the decision to approve the Vesting Map be based on the ordinances, policies, and standards in effect as of the date the Vesting Map application was deemed complete, except in certain situations not applicable to the Project. For these reasons, the descriptions of the site below refer to the land use, zoning, and SEA designations in effect under the 1984 SCVAP. Descriptions of land uses and zoning on surrounding properties refers to those land uses and zones currently existing and/or in effect under the 2012 SCVAP.
7. The site consists of one lot approximately 185.8 gross acres in size. The site is generally located between Stoney Creek Drive and Avenida Rancho Tesoro to the west, and San Francisquito Canyon Road to the east. The intersections of Cherokee Canyon Lane and San Francisquito Canyon Road to the north, and Lowridge Place and San Francisquito Canyon Road to the south, demarcate the approximate northern and southern boundaries of the site.
8. The site is undeveloped and irregularly shaped, with flat to steeply sloping terrain. San Francisquito Canyon Creek flows north-to-south through the eastern portion of the site, and is designated as SEA No. 19 in the General Plan.
9. The site is depicted within the "N-1" (Non-Urban 1 – Maximum 0.5 Dwelling Units Per Gross Acre), "W" (Floodway/Floodplain), and "HM" (Hillside Management) land use categories of the Land Use Policy Map of the 1984 SCVAP. Approximately 127 acres of the site are within the N-1 category, 54 acres within the W category, and five acres within the HM category. Under the 1984 SCVAP, approximately 103 acres on the western portion of the site were zoned A-2-2 (Heavy Agriculture – 2 Acre Minimum Required Lot Area), and the remaining approximately 83 acres on the eastern portion of the site were zoned R-1-7,000 (Single-Family Residence – 7,000 Square Feet Minimum Required Lot Area).
10. Surrounding zoning within a 500-foot radius includes:

North:	A-2-2;
South:	A-2-2, R-3 (Limited Multiple Residence), and O-S (Open Space);
East:	A-2-2 and R-1 (Single-Family Residence); and
West:	A-2-2 and R-1.

11. Surrounding land uses within a 500-foot radius include:
 - North: Single-family residences, a triplex, a warehouse, and undeveloped land;
 - South: Condominiums and undeveloped land;
 - East: Single-family residences and undeveloped land; and
 - West: Single-family residences, a park, an elementary school, and undeveloped land.
12. The Vesting Map and Exhibit "A" approved for the Project depict 47 lots, consisting of 37 single-family residential lots, six open space lots, and four public facility lots. The single-family residential lots range from a minimum one acre to over two acres in size, and will be clustered around two proposed streets, "A" street and "B" street in the western and northwestern portions of the site. "A" street will travel north-south along the western portion of the site, from the site's southern to northern boundaries. "B" street will travel east-west along the northern portion of the site, from the westernmost boundary of the site and terminating at "A" street. The six open spaced lots are dispersed throughout the site, and comprise approximately 70 percent (130.2 acres) of the site. In particular, the eastern portion of the site, including the San Francisquito Canyon Creek, will remain open space. San Francisquito Canyon Road is located to the east of San Francisquito Canyon Creek and traverses the eastern portion of the site in a north-south direction. Development on the site will not take access from San Francisquito Canyon Road. The four public facility lots are located near the single-family residential lots and will be developed as debris basins.
13. Access to the site is provided by Stoney Creek Road to the southwest, which will connect to "A" street, and Avenida Rancho Tesoro to the west, which will connect to "B" street. Stoney Creek Road and Avenida Rancho Tesoro are part of the road system in the adjacent Tesoro Del Valle development (Tract Map No. 51644) ("Tesoro"), which is located to the west and southwest of the site. There will be no access to the developed portion of the site from San Francisquito Canyon Road.
14. A network of existing trails will be maintained on the site, including the Cliffie Stone, Butterfield Overland, Lady Linda, and Harris Trails. In addition to existing trails, the Project will provide a horse access path outside of the public right-of-way through Lot Nos. 24 through 32, which are located along "A" street.
15. Domestic water for the Project will be provided by the Newhall County Water District. Public sewer service will be provided by County Sanitation District No. 5. Gas utilities will be provided by Southern California Gas Company and electricity by Southern California Edison Company. The Project is within the boundaries of Saugus Union School District.

16. Shopping and employment opportunities are available to the south of the site on Copper Hill Drive, as well as within the City of Santa Clarita, a short distance from the site.

Summary of Commission Proceedings

17. In June 2000, prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, County Department of Regional Planning ("Regional Planning") staff determined that an environmental impact report ("EIR") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring Plan ("MMP") prepared for the Project.
18. As of November 2005, prior to the Commission's public hearing on the Project, the permittee proposed to create 60 single-family lots, three open space lots, and three public facility lots on the site. The single-family lots ranged in size from approximately 8,200 to 37,336 square feet in net area, with the three open space lots comprising approximately 80 percent (148 acres) of the site.
19. The Commission held a duly-noticed public hearing on the Project on March 29, 2006. At the hearing, the Commission heard a presentation from Regional Planning staff and the permittee's representatives. Members of the public testified in opposition to the Project, primarily raising concerns that the Project was not consistent with the equestrian and rural uses in the surrounding area. After hearing all testimony, the Commission continued the public hearing to May 10, 2006, and directed Regional Planning staff to work with the permittee to redesign the Project to better accommodate equestrian and rural uses in keeping with the existing community.
20. In or about May 2006, prior to the Commission's continued public hearing on the Project, the permittee submitted revised maps to Regional Planning depicting a total of 63 lots, consisting of 56 single-family lots, three open space lots, and four public facility lots. The 56 single-family lots were larger than previously proposed, ranging in size from a minimum of 15,000 square feet to approximately two acres. The permittee proposed to cluster 53 of the single-family lots along the western and northwestern portions of the site, and to locate three approximately two-acre lots along San Francisquito Canyon Road on the eastern portion of the site. As revised, the three open space lots comprised approximately 72 percent (134 acres) of the site.
21. The Commission held a continued public hearing on the Project on May 10, 2006. Regional Planning staff gave a presentation explaining the changes to the Project, including the reduction of single-family residential lots from 60 lots, as

originally proposed, to 56 lots with increased sizes to reflect the equestrian and rural nature of the community. Staff further reported, however, that while the proposed redesign was more consistent with an equestrian and rural community, some proposed changes, including expanding lot lines and locating three single-family residential lots along San Francisquito Canyon Road, were more harmful to sensitive habitat on the site. The applicant testified in favor of the Project, stating that the Project as proposed created an equestrian community which properly transitioned from the higher density residential uses in the neighboring Tesoro development. Members of the public testified in favor of and against the Project. Project proponents testified, among other things, that the Project would improve access to surrounding properties which are prone to fire and flooding. Project opponents testified, among other things, that smaller lots on the Project would not support an equestrian lifestyle, and that the Project would harm the San Francisquito Canyon Creek habitat. After hearing all testimony, the Commission expressed concern regarding the Project's impacts to sensitive habitat on the site, and questioned whether the smaller lots on the Project would support an equestrian lifestyle. The Commission continued the public hearing to August 16, 2006, and directed the permittee to redesign the project to reduce the number of lots and to increase the size of the remaining lots to accommodate the keeping of horses.

22. In or about June 2006, prior to the Commission's continued public hearing on the Project, the permittee submitted revised maps to Regional Planning staff which depicted a total of 52 lots, consisting of 45 single-family lots, three open space lots, and four public facility lots. The 45 single-family lots ranged in size from a minimum of 15,060 square feet to approximately 1.37 acres. On average, the 45 single-family lots were larger than the 56 single-family lots previously proposed by the permittee, and all single-family lots were proposed to be clustered on the western and northwestern portions of the site. As revised, the three open space lots comprised approximately 77 percent (143 acres) of the site.
23. The Commission held a continued public hearing on the Project on August 16, 2006. Regional Planning staff presented the redesigned Project to the Commission, and advised the Commission that the redesigned Project required further review from the County Subdivision Committee ("Subdivision Committee") and the County Significant Ecological Area Technical Advisory Committee ("SEATAC"). The permittee testified that the redesigned Project avoided sensitive habitat on the site and was consistent with an equestrian and rural community, and supported equestrian uses. Members of the public testified in opposition to the Project, raising concerns similar to those raised in the prior public hearing sessions for the Project, including that the Project was inconsistent with the existing equestrian and rural community. After hearing all testimony, the Commission closed the public hearing and indicated its intent to approve the Vesting Map, CUP, and Highway Realignment Case, subject to review and clearance by the Subdivision Committee.

24. Following the public hearing session on August 16, 2006, the permittee successfully cleared the revised Project with the Subdivision Committee and SEATAC.
25. The Commission considered the Project at its regular meeting on December 13, 2006, during the consent portion of its meeting. The Commission: (a) certified the Final Environmental Impact Report ("Final EIR") for the Project, which concluded in part that short-term air quality impacts from Project construction could not be mitigated to a less than significant level; (b) adopted the related environmental findings of fact and statement of overriding considerations ("Findings of Fact and SOC") and MMP for the Project; and (c) approved the Vesting Map, CUP, and Highway Realignment Case.
26. Pursuant to County Code section 22.60.230, the Commission's approval of the Project was appealed to the Board.

Summary of Board Proceedings

27. The Board conducted a duly-noticed public hearing on the Project on March 27, 2007. The Board heard a presentation from Regional Planning staff, as well as testimony from the applicant and members of the public. Regional Planning staff testified, among other things, that the Project had been redesigned to include fewer and larger lots to maintain the rural character of the community and to accommodate the keeping of horses. The permittee's representative testified, among other things, that the Project was sensitive to the environment on the site, included clustered residential lots to allow 75 percent of the site to remain permanent open space, and that the permittee had worked closely with the community to reduce the number of lots and increase the size of the lots to remain consistent with the existing rural and equestrian community. Members of the public testified both in favor of and against the Project. Project proponents testified that the Project would improve access to neighboring parcels, and that the Project conformed to the existing community. Project opponents raised concerns, among others, that the Project was not consistent with the rural character of the existing community or equestrian uses. A neighbor, Ray Vizcarra, testified that the Project would cut off access to, and landlock, his parcel. After hearing all testimony, the Board continued the public hearing to June 26, 2007, and instructed Regional Planning staff to report back to the Board with a redesigned map and proposed conditions, after review by the Subdivision Committee, for a redesigned project containing single-family lots of a minimum one acre in size, and to report back on any issues of access to Mr. Vizcarra's property.
28. On June 26, 2007, and again on September 5, 2007, November 27, 2007, and January 22, 2008, the Board continued the public hearing on the Project without discussion.

29. Prior to the Board's continued public hearing on the Project, the permittee submitted to Regional Planning revised maps for the Project which depicted 51 total lots, consisting of 41 single-family residential lots, six open space lots, and four public facility lots. All 41 single-family lots were clustered on the western and northwestern portions of the site. As revised, the six open space lots comprised approximately 70 percent (130 acres) of the site. In addition, the revisions reduced total grading for the Project by approximately 35,000 cubic yards. As directed by the Board during the March 27, 2007 public hearing, the permittee presented the revised Project to the Subdivision Committee, which reviewed and cleared the revised Project, subject to the recommended conditions.
30. Also prior to the Board's continued public hearing on the Project, Regional Planning staff and the permittee worked with Mr. Vizcarra to resolve issues of access to his property. Regional Planning staff determined that Mr. Vizcarra would have access to his property via a dedicated public street within the Tesoro development adjacent to the Project site.
31. In or about November 2007, a Comparative Impact Analysis for Revised One-Acre Lot Tract Map ("Comparative Analysis") was prepared for the Project to provide a comparative evaluation of the potential environmental impacts between the Project as approved by the Commission and the revised Project with minimum one-acre lots, as directed by the Board during the March 27, 2007, public hearing on the Project. The Comparative Analysis concluded that the impacts of the revised Project would reduce or be similar to those analyzed in the Final EIR considered by the Commission. However, the Comparative Analysis proposed revisions to the MMP for the Project to address changes in the intensity of certain impacts and new lot numbering.
32. On or about February 22, 2008, a technical memorandum was prepared summarizing new information concerning water supply for the Project, including a federal court decision regarding State Water Project pumping and the federal Endangered Species Act; a federal court order setting forth interim remedies to protect Delta smelt; the publication of technical information about water supply incorporating the interim remedies; and the availability of more advanced global warming modeling. The technical memorandum updated the water supply analysis for the Project, analyzed impacts previously analyzed in the Final EIR considered by the Commission, and concluded that the potential environmental impacts to water supply remain less than significant. The technical memorandum further concluded that recirculation of the draft EIR for the Project was not necessary pursuant to Public Resources Code section 21092.1 and CEQA Guidelines section 15088.5.
33. The Board held a continued public hearing on the Project on February 26, 2008. Regional Planning staff gave a presentation regarding the revised Project design, and advised the Board that issues of access to Mr. Vizcarra's property had been resolved. The permittee's representative testified that the revised Project sets

aside 70 percent of the site as permanent open space, incorporates rural road standards as requested by the community, preserves on-site cherry woodlands, and contains only equestrian-sized lots of one acre or larger. The permittee's representative further testified that over 50 letters had been submitted in favor of the Project. Members of the public testified in favor of and against the Project. Project proponents gave similar testimony as that presented at prior Board and Commission public hearings on the Project. Project opponents raised concerns similar to those raised at prior Board and Commission public hearings on the Project, and raised the additional concerns, among others, that the Project did not incorporate two-acre sized lots for equestrian uses.

At the conclusion of the February 26, 2008 public hearing, the Board denied the appeal, certified the Final EIR for the Project, adopted the related Findings of Fact and SOC, adopted the MMP, and indicated its intent to approve the Project, subject to the condition that the permittee redesign the Project to combine the seven northernmost lots on the site into three new lots each with a minimum size of two acres. Specifically, the Board directed the permittee to combine Lot Nos. 11 and 12 into one lot, and Lot Nos. 13, 14, 15, 16, and 17 into two separate lots with a minimum size per lot of two acres.

34. In or about October 2012, the permittee submitted revised maps for the Project which contained a total of 47 lots, consisting of 37 single-family residential lots, six open space lots, and four public facility lots. Consistent with the Board's direction at the February 26, 2008 public hearing, the revised Project combined Lot Nos. 11 and 12 into one two-acre lot, Lot Nos. 13 and 14 into one 2.04-acre lot, and Lot Nos. 15, 16, and 17 into one 3.23-acre lot. Other than combining the lots as directed by the Board, the revised Project contained no material changes to the Project.

2012 Santa Clarita Valley Area Plan (One Valley One Vision)

35. As explained in paragraph 6, above, the 1984 SCVAP was originally adopted by the Board on February 16, 1984. On November 27, 2012, the Board adopted a resolution repealing the 1984 SCVAP and adopting a revised 2012 SCVAP. The 2012 SCVAP became effective on December 27, 2012. The 2012 SCVAP is a component of "One Valley One Vision," a joint planning effort between the County and the City of Santa Clarita.
36. The 2012 SCVAP changed the land use designations, zoning, and SEA on the Project site. Specifically:
 - A. Under 1984 SCVAP, the land use designations on the site were "N-1," "W," and "HM." Approximately 127 acres of the site were within the N-1 category, 54 acres within the W category, and five acres within the HM category. The 2012 SCVAP changed the land use designation on the site to the RL5 – Rural Land 5 (NU3 – Non-Urban 3) land use category.

- B. Under the 1984 SCVAP, approximately 103 acres on the western portion of the site were zoned A-2-2, and the remaining approximately 83 acres on the eastern portion of the site were zoned R-1-7,000. The 2012 SCVAP eliminated the R-1-7,000 zoning, and changed the zoning for the entire site to A-2-2.
 - C. Prior to the 2012 SCVAP, the SEA on the site was designated SEA No. 19 under the General Plan. The 2012 SCVAP incorporated the SEA on the site into the new Santa Clara River SEA, which encompasses the entire County reach of the Santa Clara River. The newly designated SEA on the site encroaches into a small portion of Lot No. 11 and "A" street.
 - D. Prior to the 2012 SCVAP, San Francisquito Canyon Road was designated as a secondary highway under the General Plan Highway Policy Map. The 2012 SCVAP re-designated a portion of San Francisquito Canyon Road, including the portion traversing the Project site, to a limited secondary highway.
37. The 2012 SCVAP contains a grandfathering provision whereby certain projects would still be reviewed for consistency under the 1984 SCVAP. Chapter VIII of the Introduction to the 2012 SCVAP provides:
- Completed applications filed prior to the effective date of [the 2012 SCVAP] shall be allowed to be reviewed for consistency with the [1984 SCVAP]. Projects may be maintained as originally approved provided the approval is still valid and has not expired. Any subsequent change(s) of use or intensity shall be subject to the policies of this Area Plan.
38. Government Code section 66474.2(a) provides that, except in situations not applicable to the Project, "in determining whether to approve or disapprove an application for a tentative map, the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete"
39. The Board finds the Project is not subject to the provisions of the 2012 SCVAP. The permittee filed a completed application for the Project prior to the effective date of the 2012 SCVAP, and has not proposed to change uses on the site, or to increase intensity of any uses on the site. The Board further finds that changes to the Project following the permittee's filing of a complete application were directed by the Commission and/or the Board, and have the effect of reducing the number of single-family lots from an originally proposed 60 lots to 37 lots, as well as decreasing the Project's intensity of use and overall impact on the environment. Nevertheless, the Board further finds that the Project is consistent with both the 1984 SCVAP and the 2012 SCVAP, as specified below.

40. The Board finds the Project is consistent with the N-1, W, and HM land use categories under the 1984 SCVAP. The N-1 and HM categories allow residential uses. Based on slope density analysis required under the 1984 SCVAP for the HM land use category, these combined categories on the site permit a maximum of 61 dwelling units on the subject property. The Project proposes 37 single-family residential lots, which is less than the maximum number of dwelling units allowed on the site.
41. The Board finds the Project is consistent with the RL5 land use category under the 2012 SCVAP. The RL5 land use category permits single-family homes at a maximum density of 1 dwelling unit per 5 acres, as well as agricultural, equestrian, private recreational, and public and institutional facility uses. The RL5 land use category permits density-controlled development (clustering). The maximum number of dwelling units permitted on the site under the RL5 land use category is 37 dwelling units, which is consistent with the 37 single-family residential lots proposed as part of the Project. The Project also proposes to cluster the single-family residences away from the SEA on the site, preserving the majority of the site for open space.
42. The Board finds the Project is consistent with the A-2-2 and R-1-7,000 zones under the 1984 SCVAP. Both the R-1 and A-2 zones authorize density-controlled developments, with the approval of a conditional use permit. Pursuant to County Code section 22.08.040, a density-controlled development is a development containing the concentration of dwelling units on a portion or portions of a site, resulting in the remainder of the site being free of buildings or structures, as opposed to development spread throughout the entire lot or parcel. Density for a density-controlled development is computed by calculating the allowable density on a project level, rather than on a parcel-by-parcel basis, and by the use of smaller lots than are customarily permitted in the zone in which the development is proposed. The 37 single-family residential lots proposed for the site, with a minimum size of one acre per lot, are clustered in the western and northwestern portions of the site, leaving approximately 70 percent of the site as open space. The Project, including the size and clustered design of the single-family residential lots, as well as the open space provided, is consistent with the density allowed by the A-2-2 and R-1-7,000 zoning on the site, and the lot areas permissible under a density-controlled development. The Board further finds that, with the approval of the CUP, the Project is appropriately conditioned to comply with the requirements applicable to development within a hillside management area and SEA.
43. The Board finds the proposed subdivision and the provisions for its design and improvements are consistent with the goals and policies of the General Plan and the 1984 SCVAP. The Project increases the supply and diversity of housing, promotes the efficient use of land through a more concentrated pattern of development, preserves over two-thirds of the site as permanent dedicated open space, clusters development outside of the boundaries of an SEA, maintains the rural and equestrian character of the existing community, and is located near

shopping, recreational, and commercial centers. For these same reasons, the Board finds that the proposed subdivision and the provisions for its design and improvements are consistent with the goals and policies of the 2012 SCVAP.

44. The Board finds the equestrian uses contemplated as part of the Project are consistent with the A-2-2 and R-1-7,000 zones under the 1984 SCVAP. The Project clusters development in the portion of the site zoned A-2-2. The keeping of horses and related activities are allowed in the A-2 zone pursuant to County Code section 22.24.120.B.
45. The Board finds the Project is consistent with the A-2-2 zone under the 2012 SCVAP for the same reasons described in paragraphs 43 and 44, above.
46. The Board finds the design of the Project minimizes impacts to resources contained in the hillside management area and SEA on the site. Development on the site is clustered in the western and northwestern portions of the site, outside the boundaries of the SEA and away from the steepest terrain on the site. The Board further finds that, with the approval of the CUP, the Project is appropriately conditioned to comply with the requirements for development in a hillside management area and on a parcel containing an SEA.
47. The Board finds the Project is appropriately conditioned to incorporate rural street standards, which may include reduced pavement width, reduced street lighting to protect night skies, rolled curbs or no curbs, and no sidewalks, in order to preserve the existing rural community character.
48. The Board finds the permittee has demonstrated the suitability of the site for the proposed use, that establishment of the proposed use at such location is in conformity with good zoning practice, and that compliance with the attached conditions of approval, and the conditions of approval for the CUP, will ensure compatibility with surrounding land uses and consistency with all applicable General Plan and 1984 SCVAP and 2012 SCVAP policies.
49. The Board finds that the Project site is physically suitable for the type of development and density proposed because the site has access to a County-maintained street(s), and will be served by public sewer facilities and water supplies to meet anticipated domestic and fire suppression needs, and will mitigate flood and geologic hazards in accordance with the requirements of the County Department of Public Works.
50. The Board finds that the Project will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. While the San Francisquito Canyon Creek and Santa Clara River SEA traverse the site, development within the site will be clustered away from the creek and outside the boundaries of the SEA, and is not expected to have a significant impact to the riparian habitat on the site.

51. The Board finds that the Project is appropriately conditioned to require the permittee to dedicate the open space lots within the Project as permanent open space, and will grant the County the right to enforce such dedication. The Board further finds that the Project is appropriately conditioned to require the permittee to form a Lighting and Landscape Act District to assess fees for weed abatement, fire suppression, and landscape maintenance in common areas.
52. The Board finds that compatibility of the Project with surrounding land uses will be ensured through the CUP.
53. The Board finds that there is no evidence that the Project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project site.
54. The Board finds that the CUP ensures that grading for the Project will be done in an orderly manner and in substantial conformance with the Exhibit "A" approved for the Project, or a revised Exhibit "A" approved by the Director. The Board further finds that the CUP will ensure that development on the site, including the location and clustering of lots, will conform to the approved Exhibit "A," or a revised Exhibit "A" approved by the Director, and will ensure compatibility with the surrounding area.
55. The Board finds that modifications to minimum lot areas for this Project are necessary and proper to encourage the clustering of a density-controlled development away from sensitive resources on the site, including the SEA and San Francisquito Creek floodplain.
56. The Board finds that the project appropriately transfers density to concentrate development on approximately 30 percent of the site, located on less steep terrain, proximate to existing urban development, and outside the environmentally-sensitive and biologically significant SEA.
57. The Board finds that the proposed transfer of non-urban density within the site will preserve significant open space and lands within the SEA, minimize grading, and promote good planning by locating development near already developed communities.
58. The Board finds that the 1984 SCVAP encourages density transfer to promote important 1984 SCVAP goals, such as preserving open space, hillsides, and SEAs; minimize grading, disruption and degradation of the environment; and avoid development in hazardous lands. Specifically:
 - A. The 1984 SCVAP authorizes density transfer among land use classifications within a project site (regardless of urban or non-urban designation) when geological and topographic data support the need, the numbers of units is not increased, and health and safety is not detrimentally affected.

- B. The 1984 SCVAP authorizes density transfer as a tool to preserve SEAs and hillsides, to promote superior design, and to respond to changing housing needs.
- C. The 1984 SCVAP encourages density transfer and clustering of structures in urban and non-urban hillsides from steeper to more gently rolling and level land as a means of preserving the natural terrain, minimizing grading, and reducing exposure to natural hazards.
- D. The 1984 SCVAP encourages the consideration of residential densities as averages for the site to allow for the clustering of development and the transfer of unit credit to provide for additional open space.
- E. The 1984 SCVAP encourages clustering of residential uses in hilly and mountainous areas to minimize grading and to preserve the natural terrain.

The Board finds that the Project is consistent with the above density-transfer provisions of the 1984 SCVAP.

- 59. The Board finds that the housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the Project was determined to be consistent with the General Plan and the 1984 SCVAP.
- 60. The Board finds that the subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping, and other accessory structures except as otherwise modified, as shown on the approved Exhibit "A" and on the Vesting Map.
- 61. The Board finds that the proposed realignment of San Francisquito Canyon Road, a limited secondary highway, is a paper realignment only and will not affect traffic patterns or circulation. The Board further finds that the realignment is warranted to accord with the actual physical location of San Francisquito Canyon Road between Lowridge Place and Cherokee Canyon Lane, which is different than as mapped.
- 62. The Board finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to California Fish and Game Code section 711.4.
- 63. The Board finds that the permittee will be required to pay the applicable County library facilities mitigation fee pursuant to the County Code.
- 64. The Board finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Board has reviewed and considered the Final EIR, along with its associated MMP, Findings of Fact and

SOC, and finds that it reflects the independent judgment of the Board. The Findings of Fact and SOC are incorporated herein by this reference, as if set forth in full. As stated in the Final EIR and the Findings of Fact and SOC, Project development will result in short-term construction impacts to air quality which will be significant. Other than short-term construction impacts to air quality, potentially significant impacts to the environment will be reduced to a less than significant level, with the mitigation measures identified in the Final EIR and incorporated as conditions to the Vesting Map and CUP. The Board further finds that, with respect to the adverse effects upon air quality during construction, the substantial benefits resulting from the Project outweigh the potential unavoidable adverse effects and are acceptable based upon the overriding considerations set forth in the Findings of Fact and SOC.

65. The Board finds that the Comparative Analysis correctly concludes that the impacts of the Project as approved will reduce or be similar to those analyzed in the Final EIR considered by the Commission, and that the revised MMP provided in the Comparative Analysis ensures that impacts associated with revisions to the Project will remain similar to or less than those analyzed in the Final EIR approved by the Commission.
66. The Board finds that new information concerning water supply analyzed in the technical memorandum dated on or about February 22, 2008, correctly concludes that the Project's potential environmental impacts to water supply remain less than significant. The Board further finds that the new information concerning water supply analyzed in the technical memorandum does not require recirculation of the Draft EIR.
67. The Board finds that the MMP for the Project is consistent with the conclusions and recommendations of the Final EIR, and identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment by the Project. The Board further finds that the MMP's requirements are incorporated into the conditions of approval for this Project.
68. The Board finds that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and the MMP, as well as the conditions of approval for the Vesting Map.
69. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

BASED ON THE FORGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

- A. The proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan and the 1984 SCVAP .
- B. With the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in the Zoning Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and is adequately served by other public or private service facilities as are required.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Certifies that the Final EIR for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; indicates that, at the conclusion of its hearing on the Project, it certified the Final EIR and adopted the Findings of Fact and SOC and the MMP, finding that the MMP is adequately designed to ensure compliance with the mitigation measures during Project implementation, and found that the unavoidable significant effects of the Project after adoption of said mitigation measures are described in those Findings of Fact and SOC; and determined that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific health, safety, economic, social, and/or environmental benefits of the Project as stated in the Findings of Fact and SOC; and
- 2. Approves Conditional Use Permit No. 00-81-(5) and Highway Realignment Case No. 00-81-(5), subject to the attached conditions.